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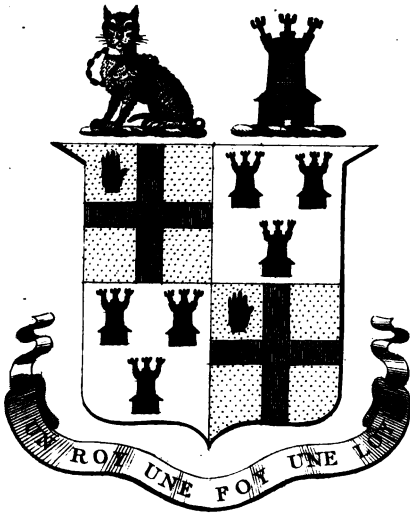
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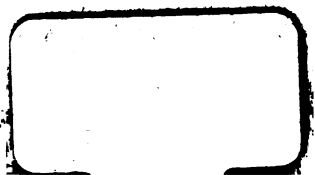


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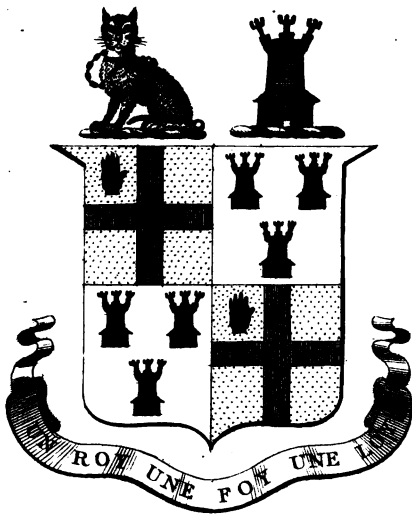


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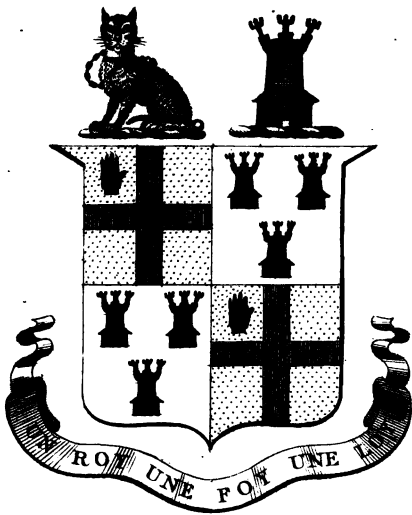
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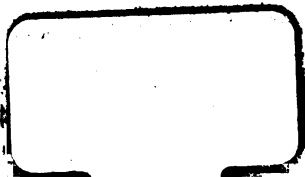
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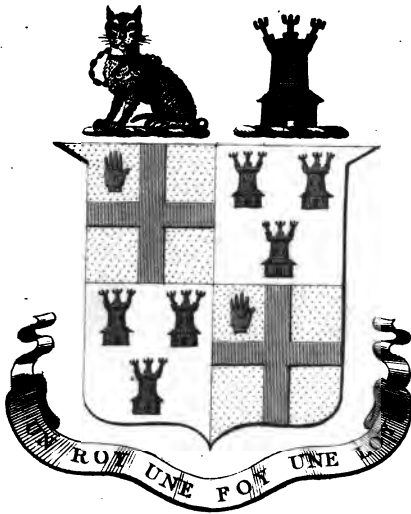
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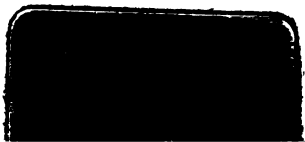


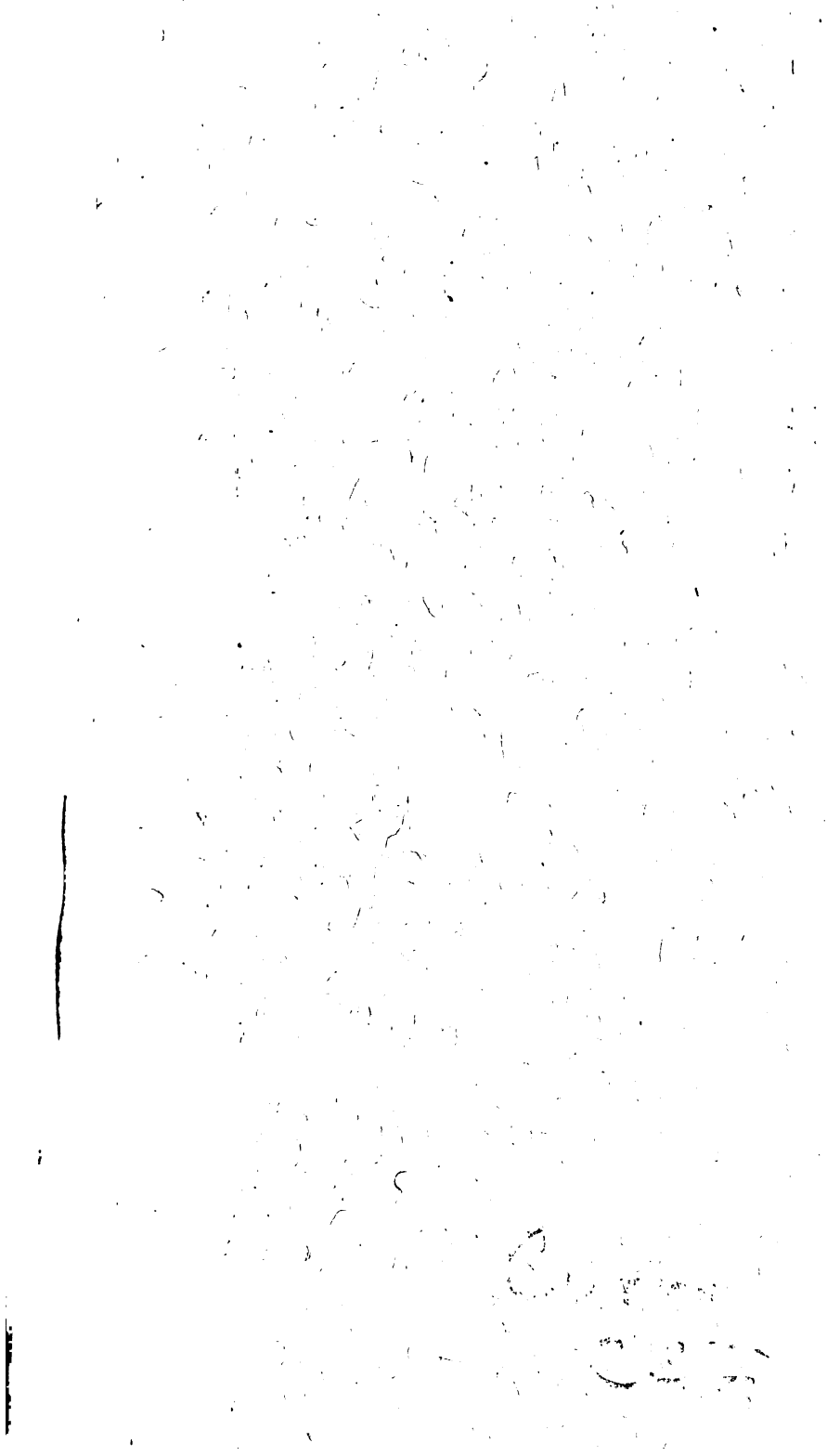


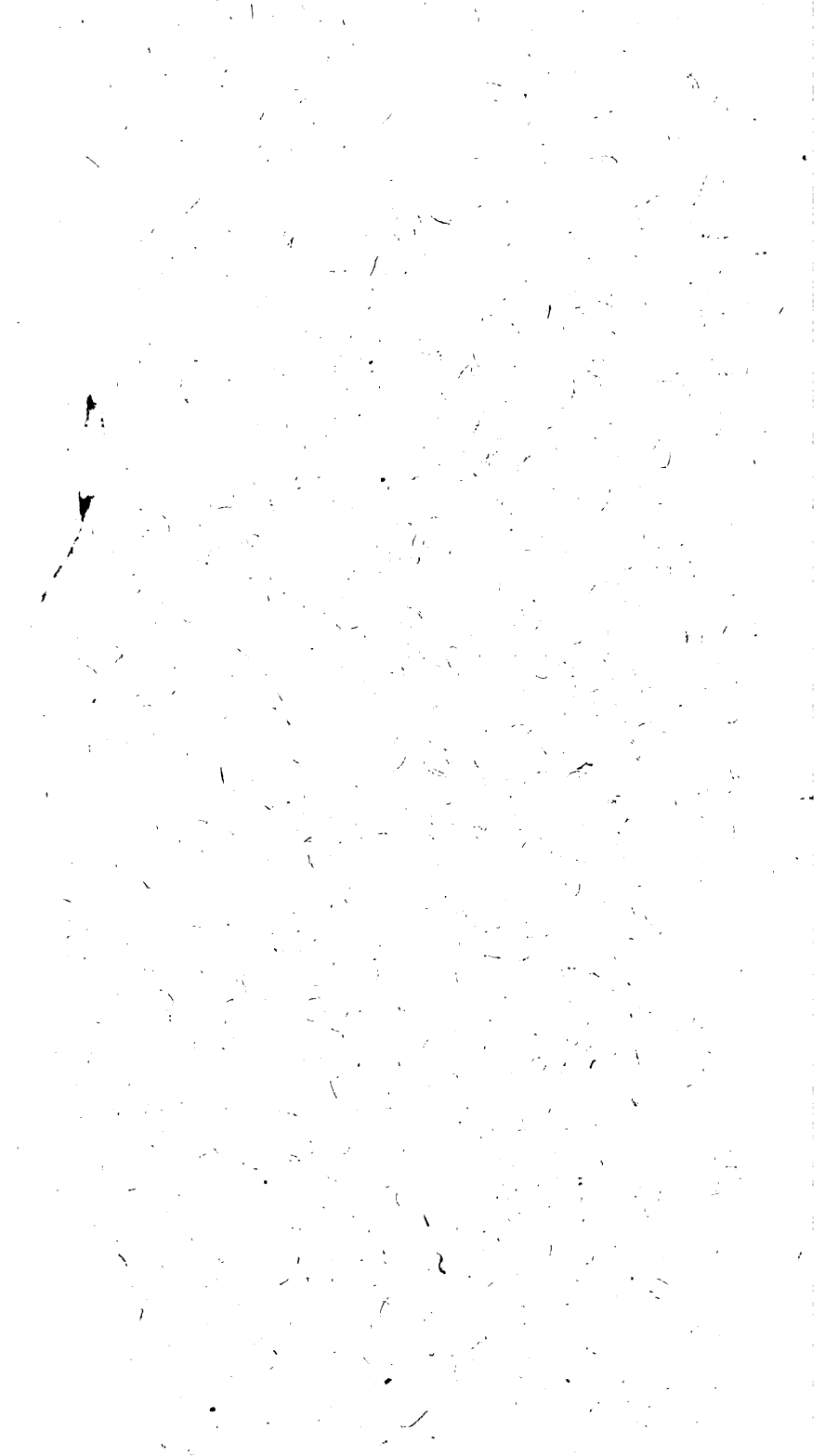
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Thomas Haviland Burke.







AN
HISTORICAL AND CRITICAL
R E V I E W
OF THE
C I V I L W A R S
IN
I R E L A N D,

FROM THE
REIGN OF QUEEN ELIZABETH, to the SETTLEMENT under
KING WILLIAM.

WITH THE
STATE OF THE IRISH CATHOLICS,

FROM THAT SETTLEMENT TO THE
RELAXATION OF THE POPERY LAWS,
IN THE YEAR 1778.

Extracted from PARLIAMENTARY RECORDS, STATE ACTS, and
other Authentic Materials.

BY JOHN CURRY, M. D.

IN TWO VOLUMES.

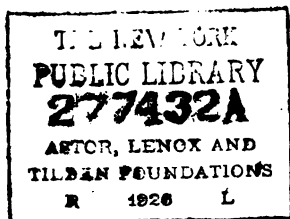
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A C C O U N T

O F T H E

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O F T H E F O L L O W I N G W O R K.

MEMORIALS of enlightened men, who have devoted their labours to the service of their fellow-citizens should be made public, for the sake of the examples they exhibited, as well as the lessons they left behind them. Unhappily, this justice, due to ourselves and to posterity, is too often omitted. In some countries, public benefactors have been treated with public ingratitude: Works which exposed the abuses of legislation, and prescribed a remedy, have generally passed away unnoticed, or met the reproachful alternative of persecution and penalties. History is full of such examples. It however affords a comfortable reflection, that the obstinacy of political error has been in a great degree subdued, and the resistance to useful information appears much abated. Here the philosopher comes in aid of the legislator, and happily the union of both, has of late procured solid advantages to this nation, and more, 'tis hoped, are in contemplation. This change in the public mind could not

be effected by the great patriots *Molyneux* and *Swift*,^a tho' they pointed out to our countrymen, the principles on which alone Irish prosperity can be established: but they encountered prejudices, from which, in their times, we could not be prevailed on to depart. It is now we recognise the maxims of these illustrious men, which teach us to *think justly*, and, in consequence, to act profitably.

In the list of excellent men, who have prepared materials for an impartial history of the civil commotions which involved this kingdom in misery for more than one hundred and fifty years, the Author of the following work, and of several other tracts^b for the service of his country, is worthy to be numbered.

He very judiciously grounds his judgments on domestic facts, which exhibit, in the clearest light, the spirit which pervaded the politics of our predecessors during that period; and by examples, the best lessons of instruction, he points out the dismal effects of calumny and misrepresentation on the human mind.

It is a tribute I owe to the memory of my learned and virtuous friend (the author) to give the reader an account of his life and studies.

Doctor John Curry was descended of an antient Irish family, (by the name of O'Corra) inheriting a
con-

^a The patriotic spirit of the Dean seemed to flow through the veins of our Author, to whom we find he was related by his mother.

^b Historical Memoirs of the Irish Rebellion.—A History of the Gun-powder Plot.—A Candid Inquiry into the Causes of the Riots in Munster.—Three Appeals to the Lord Primate in Vindication of the Civil Principles of Roman Catholics.—A Sequel to the Candid Inquiry.—Occasional Remarks on certain Passages in Dr. Leland's History of Ireland.—A Sketch of the History of the 2d and 8th of Queen Anne.—An Essay on Fervers, &c. &c.

considerable landed property in the county of Cavan, which after a possession of many centuries, was lost in the usurpation of Cromwell, to a small part that escaped the usurper's spies, and even that was lost among the other forfeitures incurred by the Irish in adhering to the cause of the late king James, in whose service the doctor's grandfather commanded a troop of horse, and fell at the head of it in the battle of Aghrim. The doctor's father being left destitute of any real property, took to mercantile business, by which he was enabled to give his son a liberal education; who, giving early proofs of natural talents, became ambitious of trying his fortune in a learned profession; but disqualified by his religion^c from prosecuting his studies in the university of Dublin, he went to Paris, where he applied closely to the study of medicine for many years, and afterwards obtained a diploma for the practice of physic at Rheims. Having returned to his native city, his attention to the poor, and a successful practice, after some time, recommended him to persons of rank and fortune.

Grown easy in his circumstances, he left no void in life; but, in every interval of leisure from the calls of his profession, employed himself in intellectual researches, and particularly such as regarded the physical, moral and political anomalies of his fellow-creatures: but his application to history, wherein he could view men on every stage of action, and without disguise, under the influence of strong prejudices and local manners in which they were nurtured, received a spur from an incident which merits, from its consequence, to be here related.

In

^c By the like impolitic penal law, the Doctor's two sons were compelled to leave their native country, and seek employments in a foreign land. They obtained honourable ones, being both officers in the Imperial service.

In October, 1746, as he passed through the Castle-yard on the memorial day of the Irish rebellion in 1641, he met two ladies, and a girl of about eight years of age, who, stepping on a little before them, turned about suddenly, and, with uplifted hands and horror in her countenance, exclaimed, *Are there any of those bloody papists in Dublin?* This incident, which to a different hearer would be laughable, filled the doctor with anxious reflections. He immediately inferred that the child's terror proceeded from the impression made on her mind, by the sermon preached that day in Christ-church, whence those ladies proceeded; and having procured a copy of the sermon, he found that his surmise was well founded. In a spirit very different from that of the preacher, he immediately, on returning to his house, sat down to give some check to the hatred and asperity revived in these anniversary invectives, from seats set apart for the propagation of truth and benevolence among men. His tract on this subject he put in the form of a *Dialogue*, wherein one of the interlocutors shews the unfairness, and absurdity also, of charging to any religion whatever, the crimes which that religion condemns, but which some of its professors may, at times, be guilty of. After such general reflections, he exposes the unfortunate causes which led to the insurrection in 1641, and the fatal consequences which followed. Three kingdoms were then in a flame, and the moderation and good sense of a few could not stop the conflagration: though it might in the beginning be easily quenched by those in power, had not their private views and self-interest biased them to supply the fuel. The people of our days are no further concerned in such evils, than to remind them of never repeating them. The cause removed, the effects should not be active, and be active, solely, from suggestions of the imagination. To this the adversary to that interlocutor made answer, that though the evils complained of, have
long

long ceased, yet that among papists the principle remains, and must justify every legal penalty they are exposed to: He converted supposition, into a fact which he could not prove. With no better argument, the *Dialogue* was attacked in a voluminous pamphlet, by Mr. Walter Harris, a gentleman unversed in the philosophy of history, and flagrantly abusive, but fit enough for his office of a compiler. Dr. Curry replied in a book intitled *Historical Memoirs*; a work well received by the public, and from which Mr. Brooke had his materials for his *Trial of the Roman Catholics*.

Still indefatigable in the cause of his country, he enlarged his plan, in a work intitled, *An Historical and Critical Review of the Civil Wars in Ireland*, printed in 1775. Therein he gives a general view of the times from Henry II. and commences his details with the reign of Queen Elizabeth, ending with the settlement under King William. This is the present work, now greatly enlarged from the doctor's manuscripts, with new matter taken from parliamentary journals, state acts, and other authentic documents; to which he has added, *The State of the Catholics of Ireland*, from the above period under King William to the Relaxation of the *Papery Laws* in 1778. The author dying two years after, deprived us of having this valuable work as perfect as if published under his own inspection.

I shall now observe to the reader, that the intention of the author in the following work was solely to instruct, not to misrepresent, to conciliate, not to irritate; and, in the execution of such a design, it was incumbent on him, to remove the false grounds of a torrent of invectives, which have borne down repeatedly on our good sense, and which, if not stopped in its course, may sweep away before it some practicable schemes for public prosperity. If some are so prejudiced as to reject several facts herein related, because they
were

were taught to reject them early in life; yet they will take the less offence at our author, as his materials are chiefly taken from those very authorities on which the invectives we have mentioned, are said to be founded; and consequently can admit of no dispute concerning their credibility. No man of the present age (catholic or protestant) is concerned in the conduct of those of any former age, otherwise than by contrasting the causes and effects in the one with those in the other, and instructing us thereby to put a proper estimate on our present happiness, and to remove any ill impression the public may still retain, in regard to times so very different from our own. This is placing a mirror before the reader, wherein beauties and deformities are fairly reflected, and whereby deductions may be made, for improving our minds and manners, by the justness of the representation.

C. O'CONNOR.

BELANAGAR,
May 3, 1786.

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B O O K I.

C H A P. I.

*Of the state of the Irish from the time of the invasion
 of HENRY II.*

IN order to form a right judgment of the principles, and conduct of the natives of Ireland, since the reformation (from which period only, I purpose to consider their civil dissentions), it is necessary to look back to the times preceding that event, and to take a cursory view of the manner in which the first British adventurers,* and their successors, for several
 VOL. I. B ages,

* All Ireland was by Henry II. cantonized among ten of the English nation, (viz. the Earl Strongbow, Robert Fitzstephen, Miles de Cogan, Philip Bruce, Sir Hugh de Lacy, Sir John Courcey, William Burke Ritz-Andelm, Sir Thomas de Clare, Otho de Grandison, and Robert le Poer) and though they had not gained the possession of one-third part of the whole kingdom, yet, in title they were owners, and lords of all, so as nothing was left to be granted to the natives. And, therefore, we do not find in any record, or history, for the space of three hundred

ages, treated these, as they affected to call them, 'conquered people.' Now it is evident from all records, that after these adventurers got footing in that kingdom, the British colonies only, and some sept^s of the Irish, that were enfranchised by special charter, were admitted to the benefit and protection of the laws of England; and that the Irish, as such, were generally reputed aliens, or rather enemies; in some instances that it was adjudged no felony to kill a mere Irishman in time of peace.

^a Sir John Davis's Historical Relations, Dub. ed. p. 45.

dred years after these adventurers first arrived in Ireland, no any Irish lord obtained a grant of his country, from the crown but only the king of Thomond; who had a grant but only during king Henry III.'s minority; and Roderick O'Connor, king of Connaught, to whom king Henry II. before this distribution was made, did grant that he should be king under him; to keep his kingdom of Connaught in the same good and peaceable state in which he kept it before his invasion of Ireland.

John Davis's Historical Relations, p. 60.

^b These were the O'Nials of Ulster, O'Malachlins of Meath, the O'Conors of Connaught, the O'Briens of Thomond, and the Mac Mouroughs of Leinster. Id. ib.

^c So ridiculously, as well as tyrannously, was this distinction kept up, "that no man was to be taken for an Englishman who had not his upper lip shaven" (which, it seems, the Irish had not.) "And if any man should be found among the English, contrary thereunto, it was lawful to seize him, and his goods, as an Irish enemy." Ib. p. 92.

"Those, that were adventurers," says Sir John Temple "in the first conquests (of Ireland), and such other of the English nation as came over afterwards, took possession, by virtue of former grants, of the whole kingdom, drove the Irish in a manner out of all the habitable parts of it, and settled themselves in all the plains and fertile places of the country, especially in the chief towns, ports, and sea-coasts. It was no capital offence to kill any of the rest of the (non-enfranchised) Irish; the law did neither protect their life, nor revenge their death." Hist. of the Irish Rebel. p. 6, 7.

But although an Englishman did not incur any capital punishment for killing a mere Irishman, he was punished, it seems, according to the old Brehon-law, by an erick, or fine; thus it appears, that one William, the son of Roger, among others,

It is also evident, that the Irish,² on their part, "did, at several times, desire to be admitted to the benefit of the law; as in their petitions to Richard II. and Lord Thomas of Lancaster, before the war of the two houses; and afterwards, to Lord Leonard Gray, and Sir Arthur St. Leger, when Henry VIII. began to reform that kingdom. And it was certainly a great defect in the civil policy of Ireland, that for the space of three hundred and fifty years at least after the conquest first attempted, the English laws were not communicated to its people, nor the benefit or protection thereof allowed them; for as long as they were out of the protection of the laws, so as every Englishman might oppress, spoil and kill them without control,³ how was it possible they should be other than outlaws, and enemies to the crown of England? If the king would not admit them to the condition of subjects, how could they learn to acknowledge, and obey him, as their sovereign? When they might not converse, or commerce with civilized men, nor enter into any town or city without peril of their lives, whither should they fly, but into woods and mountains, and there live in a wild, and barbarous manner? In a word, if the English would neither in peace govern them by the law, nor in war root them out by the sword, must they not needs be pricks in their eyes, and thorns in their sides, to the world's end?"

On the other hand, that these people merited far different treatment from the crown of England, is manifest from hence, that when they were at last admitted to the condition of subjects,⁴ under James I.

B 2

they

² Id. ib. p. 16.³ Id. ib. p. 52.

others; was at a gaol delivery at Waterford, by John Wogan, Lord Justice of Ireland, fined five marks, for killing one O'Driscall, an Irishman. See Sir John Davis's Hist. Relat. p. 49.

"But if, on the other hand, the jury had found that the party slain had been of English race and nation, it had been adjudged felony." Id. ib.

⁴ "It was not till the 13th of James I. an. 1614, that the Irish

they gave many signal proofs of their dutifulness obedience; and, as the same knowing, and impartial witnesses, whom I have hitherto quoted, then vote for them,⁴ “would gladly continue in that condition as long as they might be protected, and justly governed, without oppression on the one hand, or imposition on the other; there being, in his opinion, no power under the sun that did love equal, and indifferently,⁵ better than the Irish, or that would rest satisfied with the execution thereof, although it was against themselves; so as they might have the protection, and benefit of the law, when upon a just demand they did desire it.”

C H

⁴ Sir John Davis's Hist. Rel. Dub. ed. p. 123.

Irish were considered as subjects; for then an act was passed in the Irish parliament, declaring, that the natives of Ireland were in several statutes and records called Irish enemies accordingly abridged of the benefit of the laws, but that they were then taken into his Majesty's gracious protection under the name of dutiful subjects—those laws of distinction and difference were wholly abrogated.” Borlase Reduct. of Irel. p. 188.

“By divers heavy penal laws, the English were forbidden to marry, to foster, to make gossip with the Irish, or to have any trade or commerce in their markets or fairs. Nay, there was a law made no longer since than the 2d of Henry VIII. that no English should not marry with any person of Irish blood, unless he had gotten a charter of denization, unless he had done homage and fealty to the king in the chancery, and was bound by recognizances, with sureties, to continue a loyal subject.” Sir John Davis, ib. p. 50.

“I dare affirm,” says Sir John Davis, (Attorney General in Ireland, in the reign of James I.) “that for the space of many years last past, there have not been found so many malefactors worthy of death, in all the six circuits of this realm (which is now divided into thirty-six shires at large, as into six circuits of six shires, namely, the Western Circuit of Ireland &c.) For the truth is, that in time of peace, the Irish are more disposed to offend the law, than the English, or any other whatsoever.” Hist. Relat. p. 116.

C H A P. II.

The state of the Irish, at the beginning of the Reformation.

IN this condition of absolute slavery, the Irish remained during the reigns of Henry VIII. Edward VI. and queen Elizabeth, when the new reformed religion was first introduced among them; a circumstance not at all likely to induce them to embrace it, even though they had been willing to part with their old religion, which was far from being the case. This obstacle to the reformation, was accompanied with others still greater; their new pastors were totally ignorant of the Irish language, as their flocks, for the most part, were of the English;* besides, the inferior clergy, in those days, who had the immediate cure of souls, were men of no parts or erudition; and what was worse, they were full as immoral as they were illiterate.¹

“ The

¹ Spencer's State of Ireland, Dub. ed.

* “ Even within the English pale,” (viz. the counties of Dublin, Meath, Lowth, and Kildare,) “ the Irish language was become so predominant, that laws were repeatedly enacted to restrain it, but in vain.—In those tracts of Irish territory, which intersected the English settlements, no other language was at all known; so that here the wretched flock was totally inaccessible to those strangers, who were become their pastors.” Leland's Hist. of Ireland, Dub. ed. 4to. vol. ii. p. 194.

In a letter from her majesty's council about this time (1584) to the archbishop of Canterbury and bishop of London, complaint is made, “ that in some parts of England, great numbers of persons occupied cures, being notoriously unfit, most for lack of learning, many charged or chargeable with great and enormous faults, as drunkenness, filthiness of life, gamesters at cards, haunting of ale-houses, and such like; against whom they heard not of any proceedings, but that they were equally suffered, to the slander of the church, to the offence of good people, yea, to the famishing of them for lack of good teaching, and to the subverting many weak beings from their duties to God and the queen's majesty. And that they had, in a general

"The clergy in Ireland," says Mr. Spencer,^b "during of this period, "excepting the grave fathers, are in high places about the state, and some few of who are lately planted in the new college, are generally bad, licentious, and most disordered." "

neral sort, heard, out of many parts, of this lamentable of the church." *The Harmony between the old and p Non-conformists Principles*, p. 91.

^b He was secretary to Lord Leonard Gray, deputy of land, in the reign of Elizabeth. "Whatever disorders," he, on this occasion, "are in the church of England, may be seen in that of Ireland, and much more; namely, gross and greedy covetousness, fleshly incontinency, careless sloth generally all disordered life in the common clergymen. besides these, they have particular enormities; they neither read the scriptures, nor preach to the people, only they take tithes and offerings, and gather what fruit they can out of the livings, which they convert as badly." *State of Irel.* p. 1

"Yea and some of them (the bishops) whose dioceses are in remote parts (of Ireland), somewhat out of the world's eye, do not at all bestow the benefices which are in their own dioceses upon any (clergymen), but keep them in their own hands, and set their servants or horse-boys to take up the tithes, and use of them, with the which some of them purchase great estates and build fair castles upon the same." *Spencer ib.*

The same writer had before said, that other bishops, who received, as due tribute, shares of their livings from their clergy, as the latter received them duly. For (adds he) the bishops have their clergy in such awe and subjection under them, that they may do to them what they please; for the clergy, knowing their own unworthiness and incapacity, and that they are in the power of their bishop's will, yield what pleases him, and he taketh what he listeth." *Id. ib.*

^c "The prejudices conceived against the reformation, among Irish natives more especially," says Dr. Leland, "were further increased by the conduct of those who were commissioned to remove the objects and instruments of popular superstition. Under pretence of obeying the orders of state, they seized all the most valuable furniture of the churches, and exposed to sale, without decency or reserve. The annalists pathetically describe the garrison of Athlone being carried forth with a barbarous and heathen fury, and pillaging the most famous church of Clonmacnoise, tearing away the most precious vestments, five ornaments, books, bells, plate, windows, furniture

Such were the men, whose new religious doctrine, and discipline, these people were required to embrace, against the conviction of their consciences, and at the peril of their liberties, fortunes and lives.

At the same time that the ignorance, and immorality of the reforming missionaries caused the Irish to hate and despise their doctrine, these people held the persons of their own clergy, in the highest esteem and veneration.^d Of this, I shall mention one remarkable instance, out of many others, that occur in their history.

every kind, so as to leave the shrine of their favourite saint, Kiaran, an hideous monument of sacrilege. Nor do such complaints appear to be intirely groundless, for we find that Sir James Crofts, the successor of St. Leger, who had been remanded into England, was particularly instructed to prevent the sale of bells, and other church furniture." *Hist. of Ireland*, vol. iii. p. 196.

These prejudices were originally occasioned by the mad licentiousness, which appeared in the conduct and writings of the first reformers, particularly those of Martin Luther : for to say nothing of his libidinous practice and doctrine, in marrying a nun, and preaching to his married followers, *Si non vult uxor, veniat ancilla*. The manner in which he drew up his last will and testament, on which occasion men are apt to exert their best and most serious thoughts, seems totally void of humility and common sense ; though his panegyrist, Dr. Robertson, says, " there is a certain elevation of sentiment in it." " I am known, says he, in heaven, on earth, and in hell : and have authority enough to expect, that credit should be given to my single testimony (without the usual legal forms in such cases) since God has entrusted the gospel of his Son to me, though a damnable sinner. And truth has owned me for its teacher, in contempt of the authority of the Pope, and Cæsar, and of the hatred of all the devils in hell. Why then should it be sufficient to say, " Mr. Martin Luther wrote this will, God Almighty's notary, and the witness of his gospel ?" *Life of Charles V.* vol. ii. p. 68. note.

^d It's a great wonder," says the same Mr. Spencer, " to see the odds, which is between the zeal of popish priests and the ministers of the gospel. For they spare not to come out of Spain, from Rome, and from Rheims, by a long toil and dangerous travelling hither ; where they know peril of death awaiteth them, and no reward, or riches to be found, only to draw

history.¹ "Towards the end of queen Elizabeth's reign, her majesty's forces besieging the castle Cloghan, and understanding that in the same town was a Romish priest," (to which order of men they never gave quarter,) "having also in their hands, the brother of the constable, who had the charge of the castle, the commanding officer sent him word, that he did not presently surrender the castle to him, but would hang his brother in their sight. But to save the priest, whose life they tendered, they persevered obstinately not to yield: whereupon the officer in

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² *Pacata Hibernia*, fol. 358.

draw the people to the church of Rome. Whereas, for our idle ministers, having a way for credit and esteem thereby offered, and having livings of the country offered them, without pains, and without peril, will neither forsake home, nor for any love of God, or zeal of religion, be drawn forth from their warm nests, to look out into God's hard State of Ir. p. 114.

^c In this reign, among many other Roman catholic prelates and bishops, were put to death for the exercise of their functions in Ireland, "Glaby O'Boyle, abbot of Boyle of the diocese of Elphin, and Owen O'Mulkeren, abbot of the monastery of the Holy Trinity, in that diocese, hanged and quartered lord Gray, in 1580; John Stephens, priest, for that he refused to Teague M'Hugh, was hanged and quartered by lord Burroughs, in 1597; Thady O'Boyle, guardian of the monastery of Donegal, was slain by the English in his own monastery; six friars were slain in the monastery of Mognih John O'Calyhor and Bryan O'Trevor, of the order of St Bernard, were slain in their own monastery, de Santa Maria Ulster; as also Felim O'Hara, a lay brother; so was Penny, parish-priest of Killagh, slain at the altar in his church there; Cahall M'Goran, Rory O'Donnellan, O'Quillan, Patrick O'Kenna, George Power, vicar-general of the diocese of Ossory, Andrew Stretch of Limerick, O'Murhirthagh, vicar-general of the diocese of Clonsfert, Roghow O'Molowny of Thomond, John Kelly of Louth Patrick of Annaly, John Pillis, friar, Rory M'Henleah, Killagh M'Inisky, a lay brother. All those that come after Penny, together with Walter Fernan, priest, died in the prison of Dublin, either through hard usage and restraint, or the violence of torture." *Theatre of Catholic and Protestant Religion* p. 582.

fight, hanged the constable's brother. Nevertheless, within four days afterwards, the priest being shifted away in safety, the constable sued for a protection, and rendered the castle. I do relate this accident," adds my author, "to the end that the reader may the more clearly see, in what reverence, and estimation these ignorant, superstitious Irish do hold a popish priest; in regard to whose safety the constable was content to suffer his brother to perish."

C H A P. III.

*The conduct of the English chief governors of Ireland,
towards the natives.*

MR. Osburne informs us¹, that in England, during queen Elizabeth's reign, to be a catholic was thought to signify nothing else, but an enemy to God,² and the prince.

¹ Osburne's works.

² One of the crimes, of which the unfortunate earl of Essex was accused, was that he had promised, when he was in favour, a toleration to a papist, Sir Christopher Blunt; to which accusation Essex at his trial answered, "that he knew Blunt was a papist, and never, indeed, liked that any christian should be tormented on account of his religion." Cambd. Eliz. 318. But this apology did not lessen the enormity of his crime in the opinion of his judges.

Yet the loyalty of the generality of their clergy and people there, was at the same time known, and confessed, even by their enemies. Holyhead testifies, that there were many such subjects then known in the realm, that did not forbear to profess their religion, and also did profess loyalty and obedience to her majesty; and offered readily to her majesty's defence, to impugn and resist any foreign force, though it should come from the pope. Among the rest Dr. Heath, archbishop of York, a faithful and quiet subject, also Dr. Poole, bishop of Peterborough, Dr. Tonstal, bishop of Durham, a man of great reputation, Dr. White and Dr. Oglethorpe, the one of Winchester, the other of Carlisle, bishops; and he of Carlisle so inclined to dutifulness to her majesty, as he did the office at the consecration and coronation of her majesty: to these are added Dr. Thurlby, and Dr. Watson, the one of Ely, and the other of Lincoln, bishops;

prince. The like prejudice prevailed also, at the same time, in Ireland; and the name of Irishman, or papist, was deemed a sufficient justification of any act of cruelty, or injustice, committed on the person who bore it. I say not this, merely on the testimony of Irishmen, and papists, but on that also of Englishmen, and protestants; some of them eye-witnesses of the facts they relate, who had the virtue to publish their detestation of them.

In a memorial^a presented to her majesty and council, by an officer,^b who had served several years in her army in Ireland; some of those unconscionable courses of her ministers are set forth, particularly those frequent breaches of public faith, and the insecurity of any pardon granted to these people, on their submitting to the government; who, says the memorialist, “without being guilty of any new crime, and without a legal trial, were afterwards condemned, and executed, to the great dishonour of her majesty, and discredit of her laws.”

It would be equally shocking and tedious, to recite all those well attested acts of cruelty and perfidy, which were perpetrated on these people, by the order, or connivance of her majesty's principal ministers in the kingdom. Two or three instances only, which include hundreds of sufferers, will suffice for the present.

When

^a Manuscript in Trinity College, Dublin. See append. No. 1.

bishops; besides some abbots and deans, and a great number laymen of good possessions and credit in the country.” V 3. anno Eliz. 26. 1358, &c.

“The catholic lords and bishops with all speed repaired London to proclaim her majesty (Q. Elizabeth); the archbishop and chancellor of England made a public oration to persuade the people to acknowledge her majesty.” Id. ib. p. 1170.

^b The author, in the body of his memorial, offers the following trial and proof of his veracity. “I desire not that your majesty should either simply credit me, in this my plain dealing; detecting them,” (her ministers in Ireland,) “nor them excusing themselves. But, if it please your highness to appoint commissioners in that realm for the trial; if I prove not dire all that ever I have declared, let me lose your gracious favour for ever.”

When, in the year 1583,³ the garrison of Smerwick, in Kerry, surrendered, upon mercy, to lord deputy Gray,^c he ordered upwards of seven hundred of them to be put to the sword^d or hanged.⁴ "Wingfield was commissioned to disarm them; and when this service was performed, an English company was sent into the fort, and the garrison was butchered in cold blood: nor is it without pain that we find a service so horrid, and detestable, committed to Sir Walter Raleigh.^e The usual, and obvious excuses for this severity, could not efface the odiousness of it; on the continent it was received with horror."^f

About

³ Borlase's Reduction of Ireland, p. 136.

⁴ Leland's Hist. of Ireland, vol. ii. p. 283.

^c "Repeated complaints were made of the inhuman rigour practised by this deputy, and his officers. The queen was assured, that he tyrannised with such barbarity, that little was left in Ireland for her majesty to reign over, but ashes, and dead carcases." Lel. Hist. of Ireland, vol. ii. p. 287.

^d "The Italian general, and some officers, were made prisoners of war, but the garrison was butchered in cold blood." Lel. Ib. p. 283.

^e For this and other such exploits, Sir Walter Raleigh had forty thousand acres of land bestowed upon him in the county of Cork, which he afterwards sold to Richard, first earl of Cork. See Cart. Orm. vol. 5. fol. 67.

^f The Irish annals thus relate this massacre. "A. D. 1580. In the war of the Fitzgeralds, an Italian fleet belonging to the pope, landed its men, in the month of September, on the coast of Kerry, in an island called *Oilean an Oir*, which the Fitzgeralds had fortified in the former year. The intention of this expedition was to assist the Fitzgeralds, much distressed through their attempts to support the catholic religion in Ireland.

On the news of this landing, the lord deputy Gray ordered Thomas earl of Ormond to head an army, and lead it towards the island, where the Italians were fortifying themselves. The earl delayed not. He marched into Kerry, where an army of the Fitzgeralds were preparing to oppose him; an engagement ensued, and Ormond had, at last, the way left open to him, till he arrived in sight of the island, and took a view of the entrenchments which were thrown up by the Italians. He concluded, that it was too desperate an undertaking to attack them within their lines; he retired, and waited for the lord deputy,

About the same time,⁵ “Walter earl of Essex, on the conclusion of a peace, invited Bryan O’Nial of Claneboy, with a great number of his relations, to an entertainment, where they lived together in great harmony, making good cheer for three days and nights; when, on a sudden, O’Nial was surpris’d with an arrest, together with his brother and wife, by the earl’s

⁵ MS. Irish Chronicle in Trinity College, Dublin.

deputy, who was on his march to join him. On their joining, it was concluded, that they should not encamp close to the island, but approach it at the head of a few, to reconnoitre the works of the enemy, and to decoy them into an interview. Some chiefs of the Italians came out to confer with the deputy and the earl; and after some debates, the Italians were offered good conditions. While these terms were entering into, the lord deputy’s troops pass’d over into the island, and massacred to a man, the whole body of seven hundred Italians, who had landed there. The deputy after this sad exploit, seized upon great quantity of gold and other effects of the invaders. This happened in November, 1580.” Translated by my learned and very worthy friend, Charles O’Conor of Balanegare, Esq.

A Roman catholic writer, who lived near that time, relates thus. “Nine hundred Spaniards, except about eleven officers were stript of their weapons, and all slain, and cast over the cliffs into the sea, (for that fort stood upon a mighty high rock over the sea) notwithstanding the lord deputy’s word and faith unto them all for their lives, liberties, goods, and safe-condu into Spain.” Theatre of Cath. Relig. p. 579.

“The queen (says the bishop of Chichester) was not pleas’d at the manner of this execution, and was hardly after drawn to admit any excuse of the slaughter committed.” Thank. Remen p. 48.

Gray’s excuse for this bloody deed, was that he had not men enough to guard the Spanish prisoners. But this excuse, if Borlase, did not easily please the queen, the enemy having yielded on mercy. Reduct. of Irel. p. 136.

Sir Richard Baker, mentioning this massacre of the Irish foreigners at Limerick, says, “ ’Twas concluded, that only leaders should be saved, the rest slain, and all the Irish hang’d up, which was presently put in execution, to the great dislike of the queen, who detested the slaughter of such as yielded themselves, and would not accept of any excuses or allegations.” Chronicle, fol. 356.

earl's order.⁵ His friends were put to the sword before his face; nor were the women and children spared: he was himself, with his brother and wife, sent to Dublin, where they were cut in quarters. This increased the disaffection, and produced the detestation of all the Irish; for this chieftain of Claneboy, was the senior of his family, and as he had been universally esteemed, he was now as universally regretted."

We do not find, however, that any remarkable commotion was excited on this account; or that any immediate provocation on the part of the Irish, was so much as pretended, for so barbarous an act of perfidy. "After the 19th year of queen Elizabeth, viz. anno 1577, the lords of Connaught, and O'Rorke," says Morriffon,⁶ "made a composition for their lands, with Sir Nicholas Malby, governor of that province; wherein they were content to yield the queen so large a rent, and such services, both of labourers to work upon occasion of fortifying, and of horse and foot, to serve upon occasion of war, that their minds seemed not

⁶ History of Ireland, fol. ed. p. 3.

The same historian says, concerning the above landing at Limerick, "that the Spaniards seeing but a few Irish come into them, and these unarmed, began to distrust the state they were in, and to cry out they were undone." *Ib.* fol. 355. He adds, "that Fitzmorris heartening them with hopes that supplies were speedily to come, and going himself to get more company, he passed through the lands of his cousin, William á Bourge, (an Irish Roman catholic nobleman) who opposed, and killed him and most of his company; but withal two of á Bourge's sons were killed in that skirmish also." *Id.* *ib.* The queen so comforted him for the loss of his sons, adorned him with the dignity of baron of Castleconnel, and rewarded him with a yearly pension besides." *Ib.*

⁵ "Such relations," as Dr. Leland justly observes on this occasion, "would be more suspicious, if these annals in general expressed great virulence against the English, and their government. But they do not appear to differ essentially from the printed histories, except in the minuteness with which they record the local transactions, and adventures of the Irish. And sometimes they expressly condemn their countrymen, for their rebellions against their prince." *Hist. of Ireland*, vol. ii. p. 258.

not yet to be alienated from their wonted awe, reverence for the crown of England." Yet, in same year, an horrible massacre was committed by English, at Mulloghmaiston, on some hundreds of most peaceable of the Irish gentry, invited thither the public faith, and under the protection of government.

The fact is thus literally translated ¹ from ' the annals of queen Elizabeth's reign. " The calend January, on Tuesday, 1577. In this year the Eng of Leinster and Meath, committed horrid murders such of the O'Mores and O'Conors, and others of king's and queen's county as kept the peace, sued protection, and held no correspondence with those their kindred, who still stood out in arms against English government.

" The English published a proclamation, inviting all the well affected Irish to an interview on the Rathmore, at Mulloghmaiston ; engaging, at the same time for their security, and that no evil was intended. In consequence of this engagement, the well affected came to the Rathmore aforesaid, and soon after they were assembled, they found themselves surrounded by three or four lines of English and Irish horse and foot, completely accoutred, by whom they were ungenerously attacked, and cut to pieces ; and not a single one escaped."

To this massacre, the memorialist before mentioned probably alluded, when he complained, ² " that majesty's servants, who were placed in authority to protect men for her service, had drawn unto them, such protection, three or four hundred of the Irish under colour to serve her majesty ; and brought them to a place of meeting, where her garrison-soldiers were appointed to be ; who there, most dishonourably

¹ Lee's memorial, MSS. Trin. Col. Dub.

² Id.

³ By Charles O'Connor, of Balanegare, Esq; as likewise former.

put them all to the sword. This," adds he, " was done by the consent, and practice, of the lord deputy for the time being."

C H A P. IV.

Motives for the general discontent in Ulster.

IN the year 1589,¹ " When Sir William Fitzwilliams entered upon the government, Ireland was in the best estate that it had been in for a long time, not only peaceable and quiet, but so as any, the greatest lord, called by letter or messenger, readily came to the state ; and none of them were known to be any way discontent. But, within three months after his taking the sword, having been informed, that the Spaniards lately wrecked^a upon the coasts of Connaught and^b Ulster,

¹ Morrif. Hist. of Ireland, fol. 4.

^a " Those (Spaniards) who were shipwrecked in Ireland, and cast ashore, were all put to the sword, or perished by the hands of the executioner ; the lord deputy, by whose orders it was done, fearing they would side with the rebels ; at least this was the pretence made use of, to excuse this barbarity."—"Tis said, that on the coast of Ireland, seventeen ships, and five thousand three hundred and ninety-four men were then destroyed. Rapin's Hist. of Eng. vol. ix. p. 122. note.

^b " Sir William Fitzwilliams," says Borlase, " was accused of too much rigour in enquiring after the spoils and wrecks at sea, which happened on some of the invincible (Spanish) navy being split in Ireland ; and the ensuing war is laid to his charge." Reduct. of Irel. p. 141.

" Sir John Perrot, upon delivering the sword to Sir William Fitzwilliams, declared, that he left the kingdom in peace ; and that now, though a private man, he would engage to bring in any suspected leader within twenty days, without violence or contest. He embarked with the acclamations, particularly of the lower order of the people, who felt the benefits of his administration. Old Tirlagh of Tirowen followed him to the water side bathed in tears." Lel. Hist. p. 311.

" In 1584, this deputy (Sir John Perrot) prevailed on the people of Connaught to consent to an assessment, or composition, whereby

Ulster, had left with the inhabitants great store of treasure, and other riches, he greedily fought to get it into his hands, pretending the queen's service appeared by a commission, by which he first essayed to seize the same; but that not taking effect, he made journey himself into these parts, where, altogether failing of his purpose, he brought thence with him prisoners, two of the best affected gentlemen of the state, that were in those parts, whom he deemed possessed the greatest part of the treasure, namely Owen Mac Tooley, father-in-law to the earl of Tyrone, who had long enjoyed a pension of two hundred pounds a year from the queen, and Sir John O'Donoghue. The former refusing to pay for his enlargement continued prisoner till the beginning of Sir William Russell's government, who in pity discharged him; but the old gentleman's heart was first broken, shortly after he died. The latter was released, after two years restraint; but not without paying for his liberty. At this hard usage of these two Ulster gentlemen, all the great men of the Irish, especially in the northern parts, did much repine. "The loyal I say Dr. Leland, " on this occasion, trembled for his own safety, and the disaffected were confirmed in inveteracy."

About the year 1590,² died M'Mahon, chief of the Monaghan, who in his life-time had surrendered his country into her majesty's hands, and received a re-grant thereof, under the broad seal of England.

² Morris. Hist. of Irel. fol. 10.

whereby eleven hundred troops might be maintained in that province, without charge to the queen; a concession astonishing to those of the council, who attended on the deputy; and who had exclaimed against the attempt, as rash, and impracticable." Lel. ib. p. 294.

"Nevertheless, the people in Connaught (says the historian) were severely governed by Sir Richard Bingham, sheriffs and other officers of justice followed the example of the lord president (Bingham), they entered the several counties attended with large bodies of armed men, pillaging the towns, whom they affected to despise." Id. p. 302.

him and his heirs male; and in default of such, to his brother Hugh Roe M'Mahon, with other remainders. And this man dying without issue male, his said brother came up to the State, that he might be settled in his inheritance, hoping to be countenanced and cherished, as her majesty's patentee. But he found as the Irish^c say, he could not be admitted, until he promised six hundred cows, for such, and no other, were the Irish bribes. He was afterwards imprisoned for failing in part of his payment; and in a few days enlarged, with promise that the lord deputy himself, would go and settle him in his country of Monaghan; whither his lordship took his journey shortly after, with M'Mahon in his company. At their first arrival, the gentleman was clapt into bolts; and in two days after, he was indicted, arraigned, and executed at his own door^d;

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^c On occasion of this manner of expressing himself, which Morriſſon often makes use of, the reader is desired to take notice of the following passage. "This, says he, I write of hearsay; but as in the general relation following, I purpose to write nothing which is not warranted, either by relations presented to the queen by the principal counsellors of Ireland, or by letters interchanged between the states of England and Ireland, or like authentical writings; so for the particulars of the above-named lord deputy, (Sir William Fitzwilliams) if, perhaps, some may think any thing observed by me to derogate from him, I protest, that whatsoever I write, is, in like sort, warranted, and may not be omitted without the scandal of historical integrity, being objections frequently made by the rebels, for excuse of their disloyalty, as well in all their petitions, as treaties of peace." Morriſſ. Hist. of Ireland, f. 8. He afterwards indeed, mentions, what he calls an honourable answer of the deputy, to part of this charge, in which answer it is affirmed, "that the country seemed glad of M'Mahon's execution." But this, Morriſſon himself, in the same page, flatly contradicts. Ib. f. 11. And he further protests, "that he would most willingly have inserted his full justification, if any such memorial had come to his hands."

Ibid. fol. 8.

^d "The deputy caused M'Mahon to be tried by a jury of common soldiers, and then to be hanged up." Baker's Chronicle, fol. 378.

"The Irish who have once offended (says Lee in his memorial to queen Elizabeth) live they never so honestly afterwards, if

all done, as the Irish said, by such officers as the deputy carried with him for that purpose from Dublin. The treason, for which he was condemned, was, be-
 two years before, he pretending a rent due unto
 out of Fearney, levied forces and made a distre-
 the same; which, by the English law, adds, my a-
 may, perhaps, be treason; but in that country,
 before subject to law, it was thought no rare
 nor great offence. The marshal, Sir Henry B-
 had part of the country; Capt. Hensflower was
 seneschal of it, and had M'Mahon's chief house
 part of the land; and to divers others, smaller
 ons of land were assigned; and the Irish spared
 say, that these men were all the contrivers of his d-
 and that every one was paid something for his
 "Certain it is," says the same historian,³ "that,
 M'Mahon's execution, heartburnings, and loathing
 the English government, began to grow in the no-

³ Morris. Hist. of Ireland, fol. 10.

if they grow into wealth, are sure to be cut off by one
 means or other." Of this he gives the following me-
 instance. "In one of her majesty's civil shires, there liv-
 Irishman peaceably and quietly as a good subject, man-
 together, whereby he grew into great wealth: which his
 lord thirsting after, and desirous to remove him from his
 entered into practice with the sheriff of the shire to d-
 this simple man, and divide his goods between them. V-
 upon they sent one of his own servants for him, and he c-
 with him, they presently took his man and hanged him
 keeping the master prisoner, they went immediately
 dwelling, and shared his substance, which was of great
 between them, turning his wife and many children to be-
 After they had kept him (the master) fast for a season w-
 sheriff, they carried him to the castle of Dublin, where
 by the space of two or three terms, and he having no
 objected against him, whereupon to be tried by law, they b-
 credit and countenance (being both English gentlemen, a-
 who was the landlord, the chiefest man in the shire) inform
 lord deputy so hardly of him, as that, without indictm-
 trial, they executed him, to the great scandal of her m-
 State and the impeachment of her laws. Yet this, and t-
 exemplary justice (adds he) is ministered to your majesty
 subjects there." See Append. No. 1.

lords; and they shunned, as much as they could, to admit any sheriffs, or any English among them.”^c

C H A P. V.

The first causes of Tirone's insurrection.

UPON the execution¹ of M'Mahon, and the jealousy thence conceived against the English, Macguire, a northern lord, about the year 1593, began to declare himself discontented, and to stand upon his defence. He alleged, that he had given three hundred cows, to free his country from a sheriff, during the lord deputy's government; and that, notwithstanding, one Capt. Willis^a was made sheriff of Fermanagh; having for his guard, one hundred men, and leading about some hundreds of women and boys, all living upon the spoil of the country; upon which, says my author, Macguire, who was chieftain of Fermanagh, taking his advantage, set upon them and drove them into a church, where he would have put them all to the sword,

C 2 if

¹ Morris. ib. fol. 12.

^c “The unhappy M'Mahon, for an offence committed before the law, which declared it capital, had been established in his country, was tried, condemned by a jury, said to be formed of private soldiers, and executed in two days, to the utter consternation of his countrymen. His estate was distributed to Sir Henry Bagnal and other adventurers, together with four of the old Irish sept. The condemnation of this chieftain, confirmed the Irish in their aversion to the English polity; which they considered as a system of hateful cruelty and tyranny.” *Lel. Hist. of Ireland*, vol. ii. p. 317.

^a “A great part of that inquietness of O'Donnel's country, came by Sir William Fitzwilliams placing one Willis there to be sheriff, who had with him three hundred of the very rascals and scum of that kingdom, which did rob and spoil that people, ravish their wives and daughters, and made havock of all; which bred such a discontent; as that the whole country was up in arms against them, so as if the Earl of Tirone had not rescued and delivered him, and them, out of the country, they had been all put to the sword.” *Lee's Memorial to Queen Elizabeth*, MSS. in Trinity College.

if the Earl of Tirone had not interposed his authority and made composition for their lives, upon condition they should all leave the country. Upon this occasion the Lord Deputy Fitzwilliams sent the queen's force into Fermanagh, took Macguire's castle of Enniskil and proclaimed him a traitor. The Irish avow, his lordship let fall some speeches against the Earl of Tirone himself, calling him a traitor also, (notwithstanding his late service,) which speeches coming to the earl's hearing, he ever after said, were the first that moved him to misdoubt his safety, and to fly upon his defence; now first combining himself with O'Donnel, and the other lords of the north, to defend adds Mr. Morriffon, their honours, estates, and liberties.

This combination, however, was for some time secret; for Tirone^a still served, with the queen's force against Macguire, and once valiantly fighting,

WOU

^a Morrif. ib. fol. 13.

^b "Hugh O'Nial lived sometimes in Ireland, and much at the court of England, and was supported against Tirlogh O'Nial, with the title of baron of Dungannon, by his friends. He had a troop of horse in queen Elizabeth's reign, in the late wars of the Earl of Desmond, in which, and on all other occasions, he behaved himself so valiantly, as the queen gave him a yearly pension of one thousand marks. In an Irish parliament he put up his petition, that by virtue of the letters patent granted to his grand-father, his father and his heirs, he might there have the place and title of Earl of Tirone, and be admitted to his inheritance; the title and place there were granted to him, (in regard the kings of England, by the ancestors of Shane O'Nial, were thereof possessed) was referred to the queen's pleasure; for the obtaining whereof Sir John Norbury then lord deputy, upon O'Nial's promise of a great reward reserved to the crown, gave him his letters of recommendation into England, where he so well knew how to humour them, as in the year 1587, he got the queen's letters patent under the great seal of England for the earldom of Tirone, with reservation of the rent he had promised to the lord of Tyrone. Morrif. Hist. of Ireland, fol. 7.

^c The Earl of Tirone had, at that time, in conjunction with the English marshal of Newry, the command of all the forces sent against Macguire. Irish annals.

wounded in the thigh.³ ^d “ But he ceased not to complain daily of the lord deputy’s and marshal’s envy against him ; and of wrongs done him by the garrison soldiers : ” and these wrongs not being redressed, together with the ill government of the church, the extortions of sheriffs, and the army’s oppressing the subject, and by that means driving many daily into rebellion, made him at last resolve to temporize no longer.” ^e But what first provoked him to break out into open acts of hostility against the government, I shall now briefly relate.

In the year 1594, Sir William Fitzwilliams being recalled into England, Sir William Russel succeeded him in the government of Ireland. To this new deputy,

³ Morris. ib. fol. 13.

^d The Earl of Tirone, with all the alacrity of a faithful subject, joined the standard of Bagnal (his mortal enemy) ; and in an action in which the Irish associates were defeated, distinguished himself with such zeal, that he received a wound in the thigh.” Leland’s Hist. vol. ii. p. 329.

^e The queen had long before this, frequently, but in vain, ordered this grievance to be removed. “ For that our subjects of that realm,” says she, in her instructions to Sir John Perrot, anno 1583, “ have been grievously oppressed by the outrages and insolences committed by certain ill affected of our garrisons serving there, which hath been partly a cause of the alienation of the good will, which they before bare unto us, we cannot (as a principal matter, wherein we look to have redress) but give you an especial charge, to see that our garrisons serving there, be kept in better discipline than heretofore they have been.—And that such abuses as have hitherto been committed by such captains, as have had heretofore more regard to their particular profit, than to the discharge of their duties, may be met withal, and the party offending, severely punished.” *Desiderata Curiosa Hibern.* vol. i. p. 36.

^f “ Where it was your majesty’s pleasure,” says Lee, in his memorial to the queen, “ he (Tirone) should have great encouragement given him, by thanks for his last great service against Macguire, it was held from him ; and instead of that, they devised all means and policies to aggravate matters against him to your majesty ; which is credibly made known unto him : and more, that upon what security soever, he should come in, your majesty’s pleasure is to have him detained.” *Desid. Cur. Hib.* vol. i. p. 10.

deputy, the queen had been prevailed upon to give private orders,⁴ to seize upon Tirone, and make him prisoner, if ever he should get him in his power. Tirone had often refused to come to Dublin, on invitation of the late lord deputy, from a distrust of lordship's honour, and on account of his known enmity to him; but Sir William Ruffel having sent him protection, which was an assurance of safety on public faith; he soon appeared before him at the castle, and declared, that the reason of his not having obeyed like orders from the late deputy, was because he knew "that he had laid snares for his life, which it was natural for him to avoid." He added, "that the accusations against him were false and malicious; that he desired nothing more, than a fair and impartial trial by which, he was confident, his innocence would fully appear; and, for that purpose, he declared, (as says Cambden, he thought himself sufficiently secured by the testimony of a good conscience,) that he would renounce all claim to his letters of protection, in case the aforesaid accusations of his enemies could be proved against him."

This matter being seriously debated in the council, some of that board were of opinion, that O'Nial should be then made a prisoner, notwithstanding his protestation, in order to answer a charge of high treason, which was his known, and inveterate enemy,⁵ Sir Henry Baginbald.

⁴ Cambden's Eliz. p. 634.

⁵ Id. ib.

⁶ Id. ib.

⁸ This same Baginbald had formerly urged some articles of treason against him, which, says Morriffon, were believed in England. Tirone offered, by his letters, to stand to his trial either in England or Ireland. Accordingly, adds my author, he answered to the articles, before the lord deputy and council at Dundalk, in which, as they who had written into England against him, now to the contrary, wrote that he had sufficiently answered them. Whereupon, the lords of England, wrote to the Earl of Tirone that they approved his answers, and that, in their opinion, he was wrong to be so charged.—At the same time, their lordships wrote to the deputy, taxing him and the marshal (Baginbald) that they had used the Earl of Tirone against law and equity." of Ireland, fol. 12.

had newly prepared against him. But the majority of the council,^h either, says my author, out of a vainⁱ scruple of violating the public faith, or through some secret affection for Tirone, declared, that he ought, in justice and honour, to be then dismissed; and that his trial should be deferred to another time. Of the subject of this debate Tirone was privately informed by the Earl of Ormond,^k and thereupon immediately fled from Dublin; and although he was quickly followed by the deputy's order to stop him, which was sent

Cambden, ib.

^h How little confidence was to be had in the promises of the English on such occasions, appears from the following among many other instances. Some English officers having assured certain Irish chiefs, that upon surrendering themselves to the government, they would obtain their pardon. "These chiefs embraced the counsel, submitted, and consented to attend the Lord Deputy St. Leger into England: but here, the only favour granted was, that they were not brought to immediate execution. They were committed to prison, their lands declared forfeit, and granted to those, by whose counsel they had surrendered." *Lel. Hist. of Ireland*, vol. ii. p. 189.

ⁱ O'Sullivan Beare, in a letter to a Spanish minister, "requests either speedy relief, or the speedy sending of a ship to receive him, his wife, and children; to save them from the hands of those (as he calls them) most merciless enemies; making choice (says he) rather to forsake my ancient inheritance, friends, followers, and goods, than any way trust to their most graceless pardon or promise." *Pacata Hibernia*.

^k This earl had some time before received the like private orders, with respect to some Irish gentlemen to whom he had granted protection; but he was so far from obeying them, that he wrote a letter to Lord Treasurer Burleigh, in which he told him, that these orders appeared very strange to him; that the Irish gentlemen in question had, according to her majesty's instructions, delivered pledges to do good service, and put in assurances of their loyalty; and then he declares his resolution in these words: "My lord, I will never use treachery to any man, for it will both touch her highness's honour, and my own credit too much; and whosoever gave the queen advice thus to write, is fitter for such base service than I am. Saving my duty to her majesty, I would I were to have revenge by my sword, of any man that thus persuadeth the queen to write to me." *Carte's Orm.* vol. i. fol. 56.

should have counterpoised his wrongs, and fit him in his duty."

The report which Lee, in his memorial to Elizabeth, makes of Tirone's loyalty, power, and vices, is extremely remarkable. For mentioning designs of his enemies, "Let," says he, "tho' they take effect, or otherwise have him cut off, your majesty's whole kingdom there would moan pitifully; for there was never man bred in those who hath done your majesty greater service than with often loss of his blood, upon notable encrease to your majesty; yea, more often than all the nobles of Ireland. And what quietness your majesty has had these many years past, in the northern part of that kingdom, its neither your forces there (which have been but small,) nor their great numbers who commanded them, but only the honest discipline and carriage of the earl, hath made them obedient in these parts to your majesty." If he were so bad a man, he would fain enforce, as many as know him, the great strength of his country, will witness thus much for me, that he might very easily cut off many of your majesty's forces, which are laid in garrison in small towns in divers parts bordering upon his country; yea, he might over-run all your English pale, to the utter ruin of it; yea, and camp, as long as should please him, under the walls of Dublin, for any strength your majesty hath yet in that kingdom to remove him." ^{p 14}

¹⁴ Lee's Memorial, MSS. See Append. No. 1.

° Her majesty had created him an earl, on account of his former services; but on this occasion, "he shook off the title of Lord Mountjoy, that title as a badge of his bondage, and assumed that of O'Niál, with which name," adds his lordship, "and not the title of Tirone, he did much mischief; believe me, the titles of our honours do rather weaken, and strengthen them in this country." Morris. Hist. f. 276.

^p Secretary Cecil, in a private letter to Lord Deputy Mountjoy, on this occasion, says, "that if Tirone was sure to be pardoned, and live in any security, with the quality of any nobles, such was his weariness of his misery, (and so of that he would be made one of the best instruments in that kingdom." Morris. f. 236.

"The rebels forces," says Borlase, "when Tirone was proclaimed a traitor, amounted to 1000 horse, and 6280 foot, in Ulster; and 2300 in Connaught; all at Tirone's beck: whereas before, 800 foot, and 300 horse, were esteemed, on the government's side, an invincible army." ¹⁵

C H A P. VI.

Desmond's insurrection.

THE Earl of Desmond's vast estate in the province of Munster, was a strong temptation to the chief governors of Ireland to make, or to proclaim him, a rebel, their prey being insured to them, in either case, by his forfeiture.^a And, indeed, it doth not appear, that this earl, before he was proclaimed, had committed any overt act of treason; unless his private family quarrels with the Earl of Ormond, about their respective powers, and limits, can be deemed such.^b About
a month

¹⁵ Reduct. of Ireland, p. 175-6.

^a Sir William Drury, president of Munster, first attacked him on his own estate in the county of Kerry, "altho' king Edward III. made Kerry a county palatine, and granted to the Earls of Desmond all the royal liberties, which the king of England had in that county, excepting four pleas, viz. of burning, rape, forestall, and treasure-trove." Baker's Chronicle, f. 352.

"Desmond," says the same historian, "possessed whole countries, together with the county palatine of Kerry, and had of his own name and race at least five hundred gentlemen at his command; all whom, and his own life also, he lost within the space of three years, very few of the house being left alive." Id. ib. fol. 361.

^b "Ormond's relation to the Earl of Desmond," says Carte, "did not extinguish the animosity between the two families. The quarrel was renewed with so much violence, that on Feb. 1, 1564-5, a bloody conflict happened between them at Affane, in the county of Waterford, in which Desmond was routed, and 280 of his men killed. Great part of Munster was wasted on occasion of this quarrel." Life of Orm. vol. i. f. liii.

a month before he was proclaimed, his count delivered up their only son, together with O'Haly, bishop of Mayo, and Con. O'Rou Franciscan friar, both nobly descended, (who h to her for protection) to Sir William Drury, l tice, at Limerick, as pledges of the earl's loyalty. I can find, that any thing but meer suspicion then alleged against him, and that only because he refused, or delayed, to draw out his forces against his brother John of Desmond, who appeared in arms against the queen.'

"Whilst he held off," says the bishop of Chichester, "with delays, and delusions, he was declared a traitor, in the beginning of December, 1579; after proclamation, the Chief Justice Drury appointed war to be prosecuted against him, by the Earl of Desmond." But certainly, such suspicion ought, in an equitable judgment, to have been removed, and confirmed.

' Bishop of Chichester's Thankful Remembrance, p.

c "When the Earl of Desmond attended Drury's funeral at Kilmallock, with a well appointed company of horse and foot, he was committed to custody on bare suspicion upon making the most solemn promises of loyalty, and for which he obtained his liberty, retired from the camp, but refused to attend the deputy; and, therefore, was still considered as a favourer of foreign invaders, and their cause. Upon this suspicion, Malby attacked his town of Rathkeal. The Earl considered as an unprovoked, and unwarrantable attack, which he was justified in repelling. Malby prepares to storm his castles, but Drury's death prevents him. Desmond was summoned by Sir William Pelham (Drury's successor); refused to comply, but still professed his loyalty. He was ordered to deliver up one of his castles, as a pledge of his fidelity (his son was delivered up as such before,); his army consisted of complaints of injuries. He was therefore, by proclamation, declared a traitor, if within twenty days he did not submit. In the mean time, his territories were, purposed to be made the seat of war, and exposed to all the ravages of a victorious army. Desmond, in revenge, appeared before the town of Youghall, took it, cut off a detachment sent to its relief, and, then first declared for the catholic cause." See Lel. of Ireland, vol. ii. from p. 259 to 277.

consenting to have his only son delivered up as a pledge of his future loyalty ; who, though but an infant, was carried to London, and detained a prisoner in the tower there, for many years after. The bishop and friar delivered up on the same account, were both executed by Drury's order. It is no small confirmation of the earl's being previously innocent of any overt act of treason, that, when it was resolved in council to proclaim him a traitor ;^d the Lords Gormanstown and Delvin refused to sign the proclamation, with the other counsellors, for which they incurred her majesty's displeasure.^d

But whatever excesses Desmond committed after he was proclaimed, it is most certain, that he sorely regretted them ; as appears by the following letter, written to the Earl of Ormond ; who, though his near relation, had long been his rival and enemy, and was now appointed his judge.^f

“ My

* Abbe Geoghegan's Hist. of Ireland, vol. iii. p. 434.

^d “ The bills (says Dr. Leland) proposed for the attainder of the Earl of Desmond, and his adherents, were not received without difficulty, and opposition.” Hist. of Irel. v. ii. p. 300.

^e Desmond now saw his whole extent of territory ravaged, and depopulated without mercy ; and, like an abject outlaw, was compelled to take shelter in his woods. His miserable vassals were abandoned to daily slaughter, or to the still more horrid calamity of famine. When, at the time that their lives were spared, they were frequently bereft of all means of support, Hook assures us, that they were seen following the army, with their wives and children ; and begging that all might be rescued from their miseries by the sword, rather than thus condemned to waste in famine.”—In this dismal situation of the once great Earl of Desmond, “ his countess fell upon her knees before the lord deputy, and, with tears, petitioned, but in vain, that her husband should be received to mercy. His force, as a rebel, was now too inconsiderable, and his possessions to be forfeited were of too princely an extent, for the queen's ministers to admit of pardon, or submission.” Lel. ib. vol. ii. p. 278-9.

^f Spencer's description of the calamities brought on the people of Munster by this war, is really shocking. “ Notwithstanding,” says he, “ that the same was a most rich, and plentiful

“MY LORD,”

“GREAT is my grief, when I think how heavily her majesty is bent to disfavour me; and, howbeit I carry the name of an undutiful subject, yet God knoweth, that my heart, and mind, are always most loyally inclined to serve my most loving prince, so it may please her highness to remove her displeasure from me. As I may not condemn myself of disloyalty to her majesty, so I cannot excuse my faults, but must confess I have incurred her majesty’s indignation; yet when the cause, and means, which were found, and devised to make me commit folly, shall be known to her highness, I rest in an assured hope, that her most gracious majesty will think of me as my heart deserveth; as also of those, who wrung me into undutifulness. From my heart, I am sorry that folly, bad counsels, slights, or any other things, have made me to forget my duty; and therefore, I am most desirous to get conference with your lordship, to the end I may open, and declare to you how tyrannously I was used; humbly craving, that you will vouchsafe to appoint some time, and place, where and when I may attend your honour; and then I doubt not to make it appear, how dutiful a mind I carry; how faithfully I have, at my own charge, served her majesty, before I
was

³ *Scrinia Sacra.*

tiful country, full of corn and cattle.—Yet, ere one year and a half, they were brought to such wretchedness, as that any stony heart would rue the same. Out of every corner of the woods and glynns, they came creeping forth upon their hands, for their legs could not bear them; they looked like anatomies of death; they spake like ghosts crying out of their graves, they did eat the dead carrions, happy where they could find them, yea, and one another soon after; insomuch, as the very carcasses they spared not to scrape out of their graves, and, if they found a plot of watercresses or shamrocks, there they flocked as to a feast for the time, yet not able to continue there withal; that, in short space, there was none almost left, and a most populous and plentiful country suddenly left void of man, and beast.” *State of Ireland*, p. 158.

was proclaimed ; how sorrowful I am for my offences, and how faithfully I am affected ever hereafter to serve her majesty ; and so I commit your lordship to God.

(Subscribed,) GIRALD DESMOND."

Whether the conference so earnestly desired in this letter was obtained, or not, does not appear. We only know,⁴ "that Kelly of Morierta, (of whom the Earl of Ormond had taken assurance of his fighting against the rebels) with twenty-five of his kearn, did in the night-time assault the Earl of Desmond in his cabin, then deserted by all his friends. Kelly entering the hut found that all were fled, but one man of venerable aspect, stretched languidly before a fire. The leader assailed, and wounded him. He exclaimed, "Spare me, for I am the Earl of Desmond." Kelly smote off his head, and brought it to the Earl of Ormond ; by whom it was conveyed to the queen, and impaled on London-bridge."⁵

Upon

⁴ Carte's Ormond, vol. i. Leland's Hist. of Ir. vol. ii. p. 288.

⁵ The Irish annalists, and other catholic writers, do not scruple to say, "That the vengeance of God was signal in this event," on account of this earl's having committed great cruelties on his taking of Youghall, "which he gave up to plunder, not sparing even the churches, and whatsoever was sacred, which his soldiers polluted and defiled, bringing every thing to utter confusion and desolation, and making havock, as well of sacred vestments and chalices, as of any other chattel. Certain Spaniards, adds my author, who were with them, at that wicked exploit, perceiving by the furniture and ornaments of the churches, that the town's-men were all catholics, and containing their hands from plunder, were reproved by some of that wicked company, for that they took not part of the spoil, as others did : but they answered, that they ought not to rob or spoil better christians than themselves ; and one of the said Spaniards cut his cloak, as St. Martin did, in five parts, and distributed the same upon five children, that were stripped of their cloaths, and left naked by some of the kearns." Theatre of Catholic and Protestant Religion, p. 436.

⁶ The Earl of Desmond," says Morriſſon, "flying into the woods, was there in a cottage killed, and his head cut off ; being,

Upon the attainder of this earl, and his confederates,⁵ not less than 574,628 acres of land, English measure, fell to the crown, and were disposed of by queen Elizabeth, to English undertakers.¹

That Queen having long determined to send James, the only son and heir of this Earl of Desmond, (who, as we have observed,⁶ from his infancy had been kept a prisoner in the tower, as a pledge of his father's loyalty) to Ireland, in hopes that his presence there would

⁵ Morrif. Hist. fol. 4.

⁶ Pacata Hibernia, fol. 90.

ing, as they say, betrayed by his own followers; wherein the Ulster-men challenge an honour of faithfulness to their lords above those of Munster; for, in the following wars, none of them could be induced, by fear or reward, to lay hands on their revered O'Nial." Hist. of Irel. f. 4.

"Desmond was then forsaken by every body, save four persons, viz. a priest, two horse-men, and a boy," with whom he wandered from one lurking place to another." Carte's Orm. vol. i. fol. lv.

After Desmond's death, and the entire suppression of his rebellion, unheard-of cruelties were committed on the provincials of Munster (his supposed former adherents) by the English commanders. Great companies of these provincials, men, women and children, were often forced into castles and other houses, which were then set on fire. And if any of them attempted to escape from the flames, they were shot or stabbed, by the soldiers, who guarded them. It was a diversion to these monsters of men, to take up infants on the point of their spears, and whirl them about in their agony; apologizing for their cruelty by saying, that "if they suffered them to grow to live up, they would become popish rebels." Many of their women were found hanging on trees, with their children at their breasts, strangled with the mother's hair." Lombard. Comment. de Hibern. p. 535, &c.

¹ It must not be forgot that this Earl of Ormond thought proper to represent his own right, on that melancholy occasion, to the lands lately possessed by this Earl of Desmond; his mother being sole daughter and heir to James, Earl of Desmond, and heir general to all his estate; though he had been kept out of possession by the power of the late Earls, who had forfeited. He desired that his right might be saved, so far as was warranted by law; and he prevailed so far, that 3000 acres in Tipperary, and a great tract of poor land in Kerry, part of the estate, were assigned

would draw off his father's followers from James Fitzthomas, who had usurped the title of Desmond, and gave her majesty's forces much opposition, did, in the year 1600, put that design in execution. The young earl landed at Youghall, October 14th, and was conducted from thence, by captain Price, to the president of Munster at Moyallo; the captain presented him to his lordship, together with her majesty's letter, and letters patent under the great seal of England, for his restitution in blood and honour.

"The lord president of Munster, in order to make trial of the affections of the earl's kindred and followers, consented, at his own request, that he should make a journey from Moyallo into the county of Limerick; the earl came to Kilmallock of a Saturday in the evening; and by the way, and at his entrance into the town, there was a mighty concourse of people, insomuch, that all the streets, doors, and windows, yea, the very gutters, and tops of houses were filled with them; and they welcomed him with all expressions and signs of joy; every one throwing upon him wheat and salt, according to an ancient ceremony used in that province. That night, the earl was invited to sup with Sir George Thornton, and although he had a guard of soldiers, who made a lane from his lodgings to Sir George's house, yet the confluence of people was so great, that he could not, in half an hour, make his passage through the crowd. After supper, he had the same encounters in his return to his lodgings. The next day being Sunday, the earl went to church to

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hear

assigned to him." Cart. Orm. vol. i. fol. lvii. Hence we may probably conjecture the reason of his prosecuting the war against him with such unrelenting rigour.

"Desmond, and about an hundred and forty of his accomplices were attainted; and their estates and honours declared forfeit to the queen. These estates were offered to the younger sons of Englishmen at three-pence, in some places two-pence per acre, to commence at the end of three years; and for three years more, half only of the stipulated rent was to be paid." *Lel. Hist.* vol. ii. p. 301. "None of the native Irish were to be admitted among their tenantry." *Id.* *ib.*

hear divine service; and all the way his countrymen used loud and rude dehortations to keep him from church; unto which he lent a deaf ear; but after service and the sermon were ended, the earl coming forth of the church, was railed at and spit upon, by those, that before his going to church, were so desirous to see and salute him; insomuch, as after that public profession of his religion, the town was cleared of the multitude of strangers; and the earl, from thence forwards, might walk as quietly and freely, and as little in effect followed, or regarded, as any other private gentleman; nor did any of his father's followers, except some of the meanest sort of freeholders, after that resort unto him.”^k

As nothing can excuse the barbarous incivility of these Irish to the young Earl of Desmond on that occasion, so this passage furnishes no ill proof of the mistaken policy of the then government of Ireland, which consisted in proselyting by force or seduction, to the established religion, the heirs of the principal Irish families, with a view of drawing their followers and dependents after them. “For the truth is,” as my author⁷ well observes in the same place, “the young earl’s religion, being a protestant, was the only cause that bred this coyness in them all: for, if he had been a Roman Catholic, the hearts and knees of all degrees in the province, would have bowed unto him.”

C H A P.

⁷ *Pacata Hibernia.*

^k “This young earl seeing how much he was deceived in his hopes, (for he supposed that all his father’s followers would have relied upon him, and obeyed his directions) embarked for England on the 22d of March following, and so to court; where, after a few months, he died. The letters patent, which her majesty had granted for his restoration, the president never delivered unto him, according to his directions; for he had caution from her majesty, unless his services, or services done for his sake, should merit the same; of both which there was but weak and slender performance.” *Pacat. Hibern. fol. 122.*

C H A P. VII.

Lord Deputy Mountjoy's and Lord Verulam's opinions of the government of Ireland in 1602.

AND, indeed, all thinking men saw and regretted, that the policy of the government of Ireland, at this juncture, was as weak as it was wicked. Lord ' Deputy Mountjoy, in a letter^a to the lords of the council in England, seems to impute to its fraud and severity, the continuance of the war even to his time. "All the Irish," says he, "that are now obstinate, are so only out of their diffidence to be safe in any forgiveness; and though they are weary of the war, they are unwilling to have it ended, for fear lest, upon a peace, there would ensue a severe reformation of religion. They have the ancient swelling, and desire of liberty, in their countrymen, to work upon; their fear to be rooted out, and to have their old faults punished upon particular discontents; and generally all over the kingdom, their fear of a persecution for religion; the least of which, alone, have been many times sufficient to drive the best and most quiet states into sudden confusion." Nay he even seemed to apprehend,

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that

^a In 1600.

² Pacat. Hibern. in fine.

^a "When some one, who hath been a bad member, pardoned by your majesty, hath heard himself exclaimed upon to be a notable thief after his pardon; and hath simply come in, without any bonds, or any enforcement, to an open session, to take his trial by your majesty's laws, if any could accuse him; notwithstanding his coming in after this manner, there hath been order given, without any trial at all, for the execution of him. And so he hath lost his life to the great dishonour of your majesty, and discredit of your laws.—And this dishonest practice has been by consent of your deputies." Lee's Memorial to queen Elizabeth, MSS. College Library.

^b "All the Irish chieftains, in their treaties of submission, concurred in the same general demands of a free exercise of religion." Leland's Hist. of Irel. vol. ii. p. 335.

that these fears, and their diffidence to be safe in any forgiveness,^c “would keep all spirits from settling, breed new combinations, and even stir the towns themselves to solicit foreign aid, with promise to cast themselves into their protection.” In order to prevent which, he submits to their Lordship’s consideration, the following particulars.

“As all pain and anguish, impatient of the present, doth use change for a remedy, so (says his lordship) will it be impossible for us to settle the minds of those people into a peace, or reduce them unto order, while they feel the smart of these sensible griefs, and apparent fears, which I have remembered to your lordships, without some hopes of redress and security.” After which he tells them, “that they should be advised how they punished in their bodies and goods, such merely for religion, as did profess to be faithful subjects, and against whom the contrary could not be proved,^d that it would as much avail the speedy settlement of Ireland, as any thing, if it would please her majesty, to deal liberally with the Irish lords of the country, or such

^c “When there have been notable traitors in arms against your majesty,” says the before-mentioned memorialist, “and sums of money offered for their heads, yet could by no means be compassed, they have in the end, of their own accord, made means for their pardon, and have put in sureties for their good behaviour, offering to do great service, which they have accordingly performed, to the contentment of the state; and thereupon received pardon, and have put in sureties for their good behaviour, and to be answerable at all times at assizes and sessions, when they should be called. Yet, notwithstanding, there have been secret commissions given for the murdering of those men. They have been often set upon by the sheriffs of shires, to whom the commissions were directed, in sundry of which shires, some of them have been killed, and others have hardly escaped. And, after all this, they have simply come, without pardon or protection, to submit themselves to your majesty’s laws, where they have been put to their trial upon several enditements, of all which they have been acquitted, and set at liberty.” Lee’s Memorial to the Queen. Desid. Curios. Hib. vol. i. p. 92.

^d It is worthy of notice, that all the cities and towns in the kingdom, though chiefly inhabited by the catholic natives, continued loyal to the queen during this war.

such as were of good reputation among them, in the distribution of such lands as they formerly possessed, or such as the state could make little use of for her majesty. If they continue (adds his lordship) as they ought to do, and yield the queen as much commodity, as she may otherwise expect, she hath made a good purchase of such subjects for such lands." Lord Verulam,³ in a letter to secretary Cecil, about the same time, earnestly recommended the same lenity and forbearance, with respect to these people. "I think," says he, "that much letting of blood in the decline of the disease, is against all method of cure; that it will but exasperate necessity and despair; and, perchance, discover the hollowness of that which is done already; which none blazeth to the best shew. But of all other points, to my understanding, the most effectual is the well expressing or impressing, of the design of England on that miserable and desolate nation; that the queen seeketh not an extirpation of the people, but a reduction; and now that she hath chastised them by royal power and arms, according to the necessity of the occasion, that her majesty taketh no pleasure in the effusion of blood, and the displanting of ancient generations."

And then, as to the matter of religion, "All divines," proceeds his lordship, "do agree, that if conscience be to be enforced (wherein they differ), yet two things must precede its enforcement; the one, means of information, the other, time of operation; neither of which they (the Irish) have yet had. And there is no doubt, but to wrestle with them is directly opposite to their reclaim, and cannot but continue their alienation from the government; and therefore a toleration of religion, for a time not definite, seems to me to be a matter warrantable by religion, and in policy of absolute necessity: and the hesitation of this, I think, hath been a great casting back of affairs in Ireland."

C H A P.

³ *Scrinia Sacra*.

* A very singular anecdote of archbishop Tillotson, relative to this subject, is worthy of notice. "John Howe, a dissenting minister,

C H A P. VIII.

Proclamation of pardon in the province of Munster.

THE Irish, during the whole time of this war, seem to have acted chiefly on the defensive, notwithstanding the vast destruction by fire, sword and famine, which the chief governors of Ireland still carried through every part of their country. Of this destruction the queen herself expressed a very sensible feeling, when she declared on that occasion, "That she feared the same reproach might be made to her, which was formerly made by Bato to Tiberius, viz. It is you! you! that are to blame for these things, who have committed your flocks, not to shepherds, but to wolves."

This private declaration of pity, her majesty soon after seconded by a public act of truly royal beneficence, in facilitating and inviting some of these misguided people's speedy return to their duty. But her gracious intentions and commands, in that respect, were in a great measure neglected or disobeyed, by her principal ministers in that kingdom.

"In December 1600,¹ the queen dispatched an order to Lord Deputy Mountjoy, to grant a general pardon

¹ Cambd. Eliz. circa initium.

² Pacat. Hibern. fol. 116.

minister, who had been chaplain to Oliver Cromwell, and was one of the most polite and learned writers among the dissenters," having found, "that his friend Dr. Tillotson asserted in a sermon, preached at court the 2d of April, 1680, 'that no man, without an extraordinary commission from heaven, testified by working miracles, as the apostles did, ought to affront the established religion of a nation, though it be false; and openly to draw men off from the profession of it, in contempt of the magistrates and the law, &c.' Mr. Howe did not only write him a long letter upon this erroneous doctrine, but expostulated with him upon it in a friendly manner: upon which Dr. Tillotson burst into tears, and frankly acknowledged that it was not to be justified." Grainger's Biograph. Hist. vol. iii. p. 312.

don to all, and every, the inhabitants of Munster, of what condition or state soever; ^a thereby to remove from them all suspicion of impeachment for their former offences;” “whereunto,” adds her majesty, “the greatest part of them have been violently carried, rather by the power of the arch-traitors (whom she therefore excepts from pardon), than by any wilful defection in their loyalty.” “And to the end the people, wadded with the misery of these wars, might not be burthened with the expences in the obtaining their pardons, or putting in security for the peace, even when needful, her pleasure was, that the fees of the seal should be either wholly remitted, or so moderated by the lord deputy and council, that her subjects might have cause the more dutifully and gladly, to embrace her princely clemency and bounty, in that her gracious and free pardon.”

In less than two months after the publication of this order, ¹ upwards of four thousand of the inhabitants of that province submitted, for protection, to the lord president. All these, however, contrary to her majesty’s express commands, “his lordship obliged ² to put in such pledges, as no governor in former times ever had done the like.” How little he observed her majesty’s gracious commands of forgiveness, in other respects, appears from an history, which he himself has left us, ³ of the two last years of this war. From whence

³ Id. ib. fol. 121.

⁴ Id. ib.

^a One of the reasons mentioned by Sir George Carew for her majesty’s granting this free and general pardon, was, “that there were many poor women and children, that had no ability to be at the charge of suing for their pardons.” *Pacat. Hibern. f. 97.* By which we may see what sort of people were then deemed rebels in Ireland.

^b Sir George Carew, says Grainger, “knew how to record, as well as how to act, great things; and has given us in his *Pacata Hibernia*, a history of the wars in Ireland, in which he was himself a principal agent; written with the unaffected openness and sincerity of a soldier. He was a lover of antiquities, and left four volumes of his collections relating to Ireland, to the

whence we may probably conclude, that he who was not ashamed to publish such inhuman actions of his own, as are there recorded, did not scruple to order, or commit others, if possible, more inhuman, which he took care to suppress.

C H A P. IX.

The Spaniards invade Ireland.

ON the 23d of September, 1601, the Spaniards^{*} under Don Juan D'Aguila,¹ landed at Kinsale, full of confidence, that they would be immediately joined, in their

^{*} Pacat. Hibern. fol. 136.

the Bodleian Library." He adds in a note, "the inscription on the print (of Pacata Hibernia) plainly intimates that he was the author of this book; but it appears from the preface, that it was digested from his papers by another hand." Biograph. Hist. of Eng. vol. ii. p. 133.

"It was not," says Sir George Carew, "religion or conscience that brought the Spaniards to relieve the Irish, but only revenge for the queen's aiding the States of the Low Countries against Spain." Pac. Hib. fol. 275.

"The king of Spain begun that action (invasion of Ireland) on a false ground, to find a powerful party in that kingdom on his first descent." Lords of the English council to Lord Deputy Mountjoy. Morrif. fol. 186.

"Let us consider the provocations, that is the wrongs, which we (English) first did unto them (Spain): let us remember the money intercepted, which the king (of Spain) was sending to D'Alva, the loss whereof at that time hazarded well nigh the loss of all the Netherland Provinces, so lately reduced: the assistance given to the prince of Orange by Gilbert Morgan, and others: the first voyage of Sir Francis Drake; the sacking of St. Domingo; the protection of Holland by Leicester; the infinite depredations letters of mart executed, to the infinite damage of the Spaniards; besides the invectives that were in every pulpit, the ballads and libels in every press, were provocations such as flesh and blood would not endure in the meanest persons, Can any wise man think, that the king of Spain should not be sensible of such indignities? was it not probable, nay,

their hostile attempts on the kingdom, by all the discontented Irish. But herein they were greatly disappointed ;² for “ no Irish of account,” says Morriſſon, “ repaired to them, except ſome dependents of Florence M'Carty, who was then in priſon, and had invited them over.” And although Don Juan, immediately after his landing,³ published a manifeſto, wherein he ſolemnly declared, that his deſign in this expedition, was to reſcue them from that oppreſſion and ſlavery, which they had ſo long groaned under on account of their religion, (which alſo he promiſed to re-eſtabliſh in a free and flouriſhing ſtate) yet he found the generality of theſe people, and even many of their clergy,^c ſo unwilling to aſſiſt him, even for theſe deſirable purpoſes,⁴ “ that he conceived a juſt diſdain and ſpleen againſt the nation.” This is confirmed by Lord Deputy Mountjoy himſelf, who informed the Engliſh council,⁵ “ that Don Juan, and his Spaniards, conceived malice againſt the Iriſh, in whoſe aid they too late diſcovered no confidence could be placed.

² Id. ib.³ Id. ib. fol. 200.⁴ Id. ib. fol. 224.⁵ Morriſ. Hiſt. of Ireland, fol. 122.

may, was it not equal, that he ſhould ſend a fury to Kinſale to revenge theſe wrongs.” Hieruſ. & Babel. 2d edit. p. 13, 14.

^b “ But in deſpite of all theſe pathetic exhortations, the provincials of Munſter were as yet ſo reluctant to engage in any new rebellion, that on the arrival of the lord deputy at Cork, ſeveral of their chieftains preſented themſelves before him, with moſt vehement aſſurances of their loyalty.” So that “ the Spaniards, who came with a vain hope of meeting a whole kingdom at their devotion, now found themſelves confined within an inconfiderable town, unaffiſted by the natives, and beſieged by the queen's forces.” Lel. Hiſt. of Ir. p. 396.

^c “ Candour obliges us to acknowledge, that the Romiſh clergy, at this time, did not uniformly concur in exciting the Iriſh to inſurrections. Sullivan himſelf confeſſes, (although it was his buſineſs to repreſent the religious zeal of his countrymen in the moſt advantageous point of view) that a conſiderable party among the clergy, recommended a dutiful ſubmiſſion to the government, and oppoſed the praćtices of their more intemperate brethren.” Leland's. Hiſt. of Ireland, vol. ii. p. 306.

placed.^d It is scarcely credible, and yet we have the same lord deputy's testimony for it, that this Spanish general offered^e six shillings a day to every horseman among the Irish, that would join his standard. "So that," adds his lordship, "it is a wonder unto us, that from present staggering, they fall not to flat dejection." And, what increases the wonder still more is, that notwithstanding all these inducements, much^f the greater part of the queen's army, which then besieged him in Kinsale, consisted of the Irish.^g But so inconsiderable
a number

^d Morrif. ib. fol. 144.

^f Pacata Hibern. fol. 213.

^d Morriffon affirms, "that the reason moving Don Juan afterwards to make the surrender of Kinsale, was the malice, he and the Spaniards had against the Irish; in whose aid, they too late discovered no confidence, could judicially be placed." Hist. of Ireland, fol. 192.

One of the means Lord Mountjoy made use of to gain over the Irish to him against the Spaniards, was the following: there were some of them, "who having no living, nor any thing that would afford them maintenance, yet had not shewn themselves disloyal, though all of them were swordsmen, and many of them gentlemen by descent, and able to draw after them many followers to whom the Spaniards made offer of great entertainment; those he proposed to take into her majesty's army, being confident that he should make good use of them against the Spaniards, as he meant thoroughly to put them to it. And of this, he assured the lords of the council, that when they had served his turn against the Spaniard, he could, without danger, ease her majesty of that charge, and would no longer hold them in entertainment. In the mean time (adds he) they shall spend little of the queen's victual; but being paid in the new coin (in a shilling of which, he else where tells us, there was not more than two penny worth of silver), provide for themselves." Morrif. Hist. fol. 139.

This proposal was approved by her majesty, "and prevented Tirone of a great many men, that otherwise, says his lordship, must and would have served him for entertainment, having no other means to live." Id. ib. fol. 153.

Does it not from hence plainly appear, that these Irish swordsmen preferred the service of their protestant queen, on this critical and trying exigency, to that of her powerful catholic enemy, even with some disadvantage to themselves?

^e Little doubt can be made, that if the generality of the Irish had

a number of the rest of these people were seduced to that defection, by these tempting offers and declarations; and so ridiculously incensed were the Spaniards against them, on that account, and thought them so little worthy to be saved in any sense, that one of their officers publicly declared,⁸ "that he believed Christ did not die for them."

As for those few Irish, who joined the Spaniards on their first arrival, Sir George Carew himself seems to have made their apology,⁹ by saying "that little wonder was to be made thereat, considering what power religion and gold have in the hearts of men, both which the Spaniards brought with them into Ireland."

Immediately before the surrender of Kinsale, which was occasioned^f by the entire defeat of the northern Irish under Tirone, who came to relieve it, her majesty's army, being in pursuit of the routed enemy,¹⁰ "continued the execution a mile and an half, and left it there only because they were tired of killing:" "And had it not been," says "Morrison who was then on the spot, "for some impediments from the weariness of the men, and the ill condition of the horses for want of feeding, we had cut the throats of all the rebels there assembled."

⁸ *Pacata Hibernia*, fol. 176. ⁹ *Id. ib.* fol. 224.

¹⁰ *Id. ib.* fol. 144, 235. "History of Ireland, fol. p. 178.

had assisted the Spaniards on this occasion, Kinsale would not have been taken; for the lord president himself, in a letter to Cecil says, "that Kinsale was bought at so dear a rate, as while I live, I will protest against a winter siege. I do speak within my compass, I do verily believe, that at that siege, and after the sickness there gotten, we lost above six thousand men that died." *Pacata Hibernia*, f. 349.

Sir George Carew's army when it sat down before Kinsale, consisted of three thousand men, two thousand of whom were of Irish birth. *Pacata Hibernia*, fol. 213. And Lord Deputy Mountjoy acquainted the English council, that the companies under him were full of Irish. *Id. ib.* fol. 204.

^f "All the rebels in Ireland were drawn into Munster, on that occasion." *Pacata Hibernia*, fol. 231.

assembled." "The Earl of Clanrickard killed,¹² with his own hand, above twenty Irish; and cried out to spare no rebels: for which the deputy knighted him in the field, among the dead bodies. There were some of the Irish taken prisoners, who offered great ransoms, but upon their bringing to the camp, they were all hanged."¹³

Morriſſon informs us of one particular, concerning the defeat of the Irish at the battle of Kinsale, which, for its oddity, at least, deserves some notice.¹³ "On the same day," says he, "an old written book was shewn to the lord deputy, wherein was a prophecy, naming the ford and hill where this battle was given; and foretelling a great overthrow to befall the Irish in that place." Sir George Carew has given a more circumstantial account of this prophecy.¹⁴ "He had often heard the Earl of Thomond say, that in an old book of Irish prophecies, which himself had seen, it was reported, that towards the latter days a battle should be fought between the English and the Irish, in a place which the book named, near unto Kinsale; and the earl coming out of England, and landing at Kinsale, in the time of the siege, Sir George, and divers others, heard

¹² *Pacata Hibernia.* ¹³ *Ubi supra*, fol. 179.

¹⁴ *Pacata Hibern.* fol. 235.

¹² "No man (says Sir George Carew) did bloody his sword more than his lordship that day, and would not suffer any man to take any of the Irish prisoners." *Pacata Hibern.* fol. 235.

¹³ It appears from a letter of Don Juan D'Aguila, to Lord Mountjoy, that the Spanish prisoners taken on that occasion were abandoned by the Irish, and left in the utmost distress; "that there was no sustenance given them, that they suffered extreme wants both with hunger and cold, and found not any alms." The reason of which Lord Mountjoy seems to assign, when he says, "that the contempt and scorn, in which the Spaniards held the Irish (for not having joined them) and the distaste which the Irish had of them, were not to be believed by any but those who were present to see their behaviours and hear their speeches; insomuch (adds his lordship) as we may probably conjecture, that by such time as Don Juan with his forces is arrived in Spain, it will be a difficult thing for the Irish hereafter to procure aids out of Spain." *Morriſſ.* fol. 187, 189.

heard him report the prophecy, and name the place, where, according to it, the battle should be fought. The day on which the victory was obtained, he and the earl rode out to see the dead bodies of the vanquished, and asked some that were there present, by what name that ground was called; they not knowing to what end the question was asked, told the true name thereof; which was the same, that the earl had before reported to him. "I beseech the reader," continues the president, "to believe me, for I deliver nothing but truth; but as one swallow makes no summer, so shall not this one true prophecy increase my credulity in old predictions of that kind."

C H A P. X.

The cruelty of the English army in Munster.

IN December 1600, about nine months before the arrival of the Spaniards,¹ "there was not in the whole province of Munster," one castle that held out against the queen; nor was it known that there were five rebels in a company there." And afterwards, at the battle of Kinsale,² almost all the insurgents of the other provinces, who were there assembled under Tirone, were totally dispersed.^b Yet the unceasing cruelty

¹ Pacata Hibernia.² Id. ib.

^a "And now (December, 1600) there was not a castle in Munster held for the rebels, nor any company of ten rebels together, though there wanted not loose vagabonds dispersed in all corners." Morrif. Hist. of Ireland, fol. 94.

^b We are told by a contemporary Roman catholic writer, that Tirone's defeat at the battle of Kinsale, was a judgment from God, on account "of his soldiers, in their march thither to relieve the Spaniards, having robbed and spoiled the monasteries of Timnalage, and Kilcrea; and prophaned other churches. For, says that writer, the queen's army consisted, for the most part, of Irish catholic soldiers; the English being altogether, saving a very few, consumed by cold and famine, being unable to endure

cruelty of the victors, which always increased in proportion to the weakness of the vanquished, proved these latter to have recourse, once more, to arms for their natural defence. After that battle, the English seemed determined to destroy, indiscriminately, all the remaining Irish, that came in their way; which they had sometimes done with such circumstances of barbarity, that the Irish, in despair, were often tempted to prevent them, by destroying themselves. Thus, at the taking of the castle of Dunboy, "the lord president³ supposing that the besieged in their extremity would leap into the sea, which was near, posted some of the officers there with boats, who had the killing of about thirty of them, that attempted it." That garrison had sent out a messenger offering to surrender the castle, if they might have assurance of their lives; but the lord president, instead of granting that assurance, turned the messenger over to the marshal, by whose direction he was executed."⁴

Nothing can better shew the implacable fury of these English commanders, and the despair to which that fury drove the Irish, than some particulars of this siege, which are thus related by the lord president himself.

³ *Pacata Hibernia*, fol. 320.

⁴ *Id.* ib.

endure the toil and labour of so unseasonable a winter campaign. Yet Tirone's army exceeding the other in multitude of people, and ever before that time, terrible to the English, by reason of so many great overthrows given unto them, were broken, and put to flight by a few horse-men, that issued out of the English camp; being thereunto solicited, and procured by the Earl of Clanrickard, an Irish (Roman catholic) earl, then in the English camp. Wherefore," adds my author, "the said Earl of Tirone, returning from that overthrow, said, that it was the vengeance of the mighty hand of God, and his most just judgment, which ought to be executed upon such wicked and sacrilegious soldiers, that perpetrated such outrages upon sacred places." *Theatre of religion*, p. 423.

It was probably on that account, "that on the rout of his army at Kinsale, the country inhabitants, upon advantages, would not spare to take some of their heads." *Pacata Hibernia*, fol. 240.

himself.' " M'Geoghegan, chief commander of the castle, being mortally wounded with divers shots in his body, the garrison made choice of one Thomas Taylor to be their chief ; who, having nine barrels of powder, threw himself and it into the vault, and there sat down by it, with a lighted match in his hand, vowing and protesting to set it on fire, and blow up the castle, himself, and all the rest, except they might have promise of life, which was by the lord president refused. But his lordship intending to bury them in the ruins, the rest of the garrison constrained Taylor to surrender simply ; who, with eight and forty more, being ready to come forth, and the lord president's officers having entered to receive them, they found the above-mentioned M'Geoghegan lying there mortally wounded ; but perceiving Taylor, and the rest, ready to surrender themselves, he, (M'Geoghegan) raising himself up from the ground, and snatching a lighted candle, staggered therewith to a barrel of powder, which, for that purpose, was unheaded, offering to cast it into the same ; but Capt. Power took him, and held him in his arms, until he was by our men instantly killed. The whole number of the ward," continues my author, " consisted of one hundred and forty-three selected men ; being the best choice of all their forces, of the which no one man escaped, but were either slain, executed, or buried in the ruins ; and so obstinate a defence hath not been seen within this kingdom."

If any of the Irish that were in arms, intruded into the dwellings of any of their peaceable countrymen, or compelled them to pay them contribution (which they durst not refuse), these latter were always considered as harbourers and abettors of rebels, and forfeited their lives, and properties, for having yielded to a force, which they could not resist. Thus we find, that the lord president " having ^e heard, that the Munster fugitives were harboured in certain parts of that province, diverted his forces thither, burnt all the houses and corn, taking great preys, and harassing the country,

killed

^s Pacata Hibernia, fol. 318.

^e Ib. fol. 106.

killed all mankind that were found therein. From thence, he went to other parts, where he did the like; not leaving behind him man or beast, corn or cattle, except such as had been conveyed into castles."

"The ward⁷ of castle Liscoel, eighteen in number, when besieged by Sir Charles Wilmot, came forth upon their knees, and begged for mercy. The women and children (says my author) Sir Charles suffered to depart; but of the weaponed men, he hanged nine; the residue he detained till he had acquainted the lord president with what he had done, who gave present orders for the execution of the rest."

The same Sir Charles Wilmot, having at another time gone to seek the enemy in their camp, "entered,"⁸ says the same historian, "without any resistance; for there he found nothing but hurt, and sick men; whose lives, and pains, by the foldiers, were both determined."

One would imagine, from the virulence of the expressions, and the barbarity of the actions, mentioned in this history, that it was written rather by an enemy than a chief commander of her majesty's forces; or that the Irish had, at this time, given some new, and extraordinary provocation for such inhuman actions, and expressions. But it is manifest, even from this history, that, during the last two years of this war, these Irish were in no sort aggressors, or assailants; for the president himself assures us, from his own knowledge,⁹ "that, ever since the siege of Kinsale, they were so much afraid of the queen's forces, that they lived in their fastnesses, supporting themselves with their own victuals, and the wines that had been sent them out of Spain."

C H A P.

⁷ Pac. Hib. fol. 98.

⁸ Ib. fol. 365.

⁹ Ib. fol. 377.

C H A P. XI.

A dreadful famine in Ireland.

THUS did her majesty's ministers in Ireland execute her orders of clemency, and forgiveness, towards these misguided people. Nor were even these incessant acts of cruelty sufficient to appease their enmity. That destruction, which their swords had left unfinished, they now industriously completed by a general famine. Mr. Morriſſon mentions this method of ending the war, with a seeming complacency, at least, without dislike. But the effects of it were too horrible to be unfeelingly related, even by an enemy. "Because,"¹ says he, "I have often made mention formerly, of our destroying the rebels corn, and using all means to famish them, let me now, by two or three examples, shew the miserable estate to which they were thereby reduced." He then, after telling us, that Sir Arthur Chichester, Sir Richard Morriſſon, and other commanders, saw a most horrid spectacle of three children, whereof the eldest was not above ten years old, feeding on the flesh of their dead mother, with circumstances too shocking to be repeated; and that the common sort of rebels were driven to unspeakable extremities, beyond the records of any histories, that he had ever read in that kind; he mentions an horrid stratagem of some of these wretched people, to allay the rage of hunger, in the following manner. "Some old women,"² says he, "about the Newry, used to make a fire in the fields, and divers little children driving out the cattle in the cold mornings, and coming thither to warm themselves, were by these women surpris'd, killed, and eaten; which was at last discovered by a great girl, breaking from them by the strength of her body: and Capt. Trevor sending out soldiers to know the truth, they found the childrens skulls and bones,

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¹ History of Ireland, fol. 272.² Id. ib.

and apprehended the old women, who were executed for the fact. No spectacle," adds Morriffon, "was more frequent in the ditches of towns, and especially in wasted countries, than to see multitudes of these poor people dead, with their mouths all coloured green by eating nettles, docks, and all things they could rend up above ground."

The lord deputy and council,³ in a letter to the lords in England concerning their receiving the submissions of some Irish chiefs, acquainted them, "that they had received these submissions partly for the good of the service, and partly out of human commiseration; having with our own eyes (say they) daily seen the lamentable state of the country, wherein we found every where men dead of famine." They add, "that they had been credibly informed, that in the space of a few months, there were above three thousand starved in Tirone."

C H A P. XII.

The greater and better part of the Irish, in this war, fought for the queen against their countrymen. The hard terms on which they were received to mercy.

IN the Irish parliament of 1614, the catholic members, in order to obtain a suspension of some penal statutes, then strictly executed against those of their religion, alleged their ancestors signal services, exhibited in the royal army, during the wars in the former reign.¹ "Chronicles of blood," said a member of that house of commons, "shew the glory of our progenitors, as the queen's army was full of natives." Nay, it was openly affirmed in the same parliament, and might have been then easily contradicted if untrue,² "that the gentlemen of Ireland had spent as much in that war, as the queen herself; and that one gentleman, of only three hundred pounds a year, expended ten

³ Morrif. Hist. Irel. fol. 237. ¹ Commons Journal, vol. i. ² Ib.

ten thousand pounds on that occasion." Most certain it is, that the principal nobility and gentry of the kingdom, and all the cities and corporate towns, persisted in their allegiance to her majesty, notwithstanding the many tempting offers made them by the Spaniards, in order to withdraw them from it. It is also certain,³ that more than one half of that gallant army under Lord Mountjoy, which so successfully attacked, and at last entirely defeated Tirone, was Irish; nor did their having⁴ less pay⁵ than the English, or their being exposed to endure the brunt in every action, "lessen their zeal or activity in the service." Yet the terms on which the submitting Irish were received to mercy, seem to have been calculated, not so much to reclaim them, as to make them still continue desperately in action. For besides the usual pledges of their wives and children, with other cautions, which, contrary to her majesty's merciful order of December, 1600, (before recited) were exacted from them; as a further proof of their sincere submission, and previous to their pardon, it was also required, that they should perform what was called, some signal service on their own people; which, in reality, was nothing less, than that they should basely betray, or perfidiously murder, some of their nearest kindred, or former friends. Mr. Morriffon acquaints us,⁶ "that Lord Mountjoy never received any to mercy, but such as had so drawn blood on their fellow rebels. Thus,"⁷ says he, "M'Mahon and M'Armoyle offered to submit; but neither could be received without the other's head." But barbarous as these terms of acceptance were, they were sometimes reluctantly complied with. "I have it seems made,"⁷ says Lord Mountjoy, "some of the subjects, already reclaimed, and in these times suspected, put themselves in blood already; for even now I hear, that Lord

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Mountgarret's

³ Morrif. Hist. fol. 120. ⁴ Id. ib. fol. 208. ⁵ Ib. fol. 43.

⁶ Ib. fol. 77.

⁷ Id. ib. fol. 132.

⁸ "The Irish companies, says Lord Mountjoy, should not have any pay for apparel; there being no reason that their pay should be equal to that of the English." Morrif. Hist. fol. 208.

Mountgarret's sons have killed some of Cloncare's and some of Tyrrill's followers, since I contested with their father about somewhat I heard suspicious of them." I shall mention one notable instance of this kind of service, contrived and related by the lord president of Munster himself.

"About this time,"^{*} says he, "Nugent came to make his submission to the president; by whom he was told, that as his crimes and offences were extraordinary, he could not hope for pardon, unless he would deserve it by some extraordinary service; which, said the president, if you will perform, you may deserve not only pardon for your faults committed heretofore, but also some store of crowns to relieve your wants hereafter. Nugent, who was valiant and daring, and in whom the rebels reposed great confidence, presently promised not to be wanting in any thing that one man could accomplish; and, in private, made offer to the president, that if he might be well recompensed, he would ruin, within a short time, James Fitzthomas, the then reputed Earl of Desmond, or his brother John. But the president, having before contrived a plot for James, gave him in charge to undertake his brother John. Accordingly some few days after this, Nugent riding in company with John Fitzthomas and one Mr. Copinger, permitted this great captain to ride a little before him, minding, his back being turned, to shoot him through with his pistol, which, for the purpose, was well charged with two balls. The opportunity offered, the pistol bent, both heart and hand ready to do the deed, when Copinger, at that instant, snatched the pistol from him, crying treason! wherewith John Fitzthomas turning himself about, perceived his intent. Nugent thinking to escape by the goodness of his horse, spurred hard, the horse stumbled, and he was taken; and the next day, after examination and confession of his intent, hanged. In his examination, he freely confessed the whole intent, which was to have dispatched John Fitzthomas, and immediately

^{*} Pacata Hibernia, fol. 37-8.

immediately after to have posted to his brother James, to carry the first news thereof; intending to call him aside in a secret manner, to relate the particulars of his brother's murder, and then to execute as much upon him also; adding, that although they should take away his life, which he would not intreat them to spare, yet was their own safety never the more assured; for that there were many others, whom himself perfectly knew to have sworn unto the president, to effect as much as he intended: this confession, being sealed with his death, did strike fearful terror into the two brethren; and although the plot attained not fully the desired success, yet it proved to be of great consequence."

Yet these submitting Irish, who, upon every light suspicion, were obliged to comply with such cruel injunctions, were eminently serviceable to Lord Mountjoy in the prosecution of this war. His lordship acknowledges, in several letters to the English council, the great assistance they had given him; and in one of them expressly says, "That⁹ if these submittees had not furnished his army with beeves, it would have been in great distress." "Yet the commanders of that army often took their cattle without payment in ready money;¹⁰ which," says Morriffon, "grieved them:" or, if they meant to shew them particular favour, "they paid them in the new base coin, then made current by proclamation, in a shilling of which there was not more than two-pence value in silver."¹¹

C H A P.

⁹ Morrif. Hist. fol. 115.¹⁰ Id. ib.¹¹ Id. ib. fol. 23.

And the next day he made a most humble submission in writing, signed with his own hand ; wherein, after absolutely casting himself on her majesty's mercy, without presuming to justify his disloyal proceedings, he among other things, most sorrowfully and earnestly desired, that it might please her majesty, rather in some measure to mitigate her just indignation against him, in that he did religiously vow, that the first motives of his rebellion were neither practice, malice, nor ambition ; but that he was induced first by fear of his life, which, he conceived, was sought by his enemies practice, to stand upon his guard." This submission in writing (adds Mr. Morriſſon) was presented by the Earl of Tirone, kneeling before the lord deputy and council, and in the presence of a great assembly, whereupon the lord deputy, in the queen's name, promised to the earl, for himself and his followers, her majesty's gracious pardon. And to himself the restoring of his dignity of the earldom of Tirone, and of his blood ; and likewise new letters patent for all his lands, which, in his former letters patent had been granted to him, before his rebellion.' " Thus had the queen's army under Lord Mountjoy, broken and absolutely subdued all the lords and chieftains of the Irishry. Whereupon the multitude being brayed, as it were, in a mortar, says Sir John Davis, with sword, famine and pestilence together, submitted themselves to the English government, received the laws and magistrates, and most gladly embraced the king's * pardon and peace in all parts of the realm, with demonstrations of joy and comfort."

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^s Hist. Relations. * James I.

" This amnesty was confirmed the next summer by king James I. when Tirone submitted to him in person, and was honourably received at court : And the native Irish believing king James loved them, (having in queen Elizabeth's time privately assisted them, more than Spain did publicly) never disturbed his reign, though they were much provoked." Id. ib.

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B O O K II.

C H A P. I.

The state of the Irish under king James I.

“SOME few years before queen Elizabeth’s death, king James was at the utmost pains ¹ to gain the friendship of Roman catholic princes, as a necessary precaution to facilitate his accession to the English throne. Lord Home, who was himself a Roman catholic, was entrusted with a secret commission to the Pope; the archbishop of Glasgow, another Roman catholic, was very active with those of his own religion. Sir James Lindsay made great progress in gaining the English papists.” And as it seems to have been part of that king’s policy, in order to pave the way to his succession,² “to waste the vigour of the state of England by some insensible, yet powerful means,” he had his
agents

¹ Robertson’s Hist. of Scotland, &c.

² Secret Correspondence between King James and Sir Robert Cecil, p. 75.

agents in Ireland fomenting Tirone's war,^a ("the Scots daily carrying munition to the rebels in Ulster.") So that the queen was driven to an almost incredible expence in carrying it on,^b and her enemies still encouraged by James's secret assistance and promises.

"It is certain,"^c says Mr. Osburne, "that the promise, king James made to Roman catholics, was registered and amounted so high at least, as a toleration of their religion."

"Of these intrigues,"^d queen Elizabeth received obscure hints from several quarters."^e Her majesty in a letter to the king himself in 1599, gave him to understand, "that there were many letters from Rome and elsewhere, which told the names of men, authorised by him (tho' she hoped falsely) to assure his conformity as time might serve, to establish the dangerous party, and fail his own."

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^a Osburne's Works. ^d Robertson ubi supra.

^e Saunderson's King James.

^a And this wicked policy had its full effect; for we find that in the year 1602, "the queen had a sharp encounter with secretary Cecil, about the poverty of the state. She was made to fear all kinds of distress, that want in the subject, and excess of charges to the state, is likely to bring her to: they (Cecil's enemies) sought to make those suspected who persuaded the Irish war, and those either negligent or corrupt, who conducted it; putting a firm conceit, and not improbable, as it is set out in colours, that the Irish war, being the chiefest drain of her consumption, is fortified, and fed for other men's particulars." Secret Correspondence, &c. p. 75.

"After Tirone's return from rebellion, he told Sir Thomas Philips and many others, that if his submission had not been accepted, he had contracted with the Spaniard to fortify two or three places in the north, where his allies and friends in the Scottish isles should, and might with ease, relieve and supply him." Harris Hibernic. part i. fol. 130.

^b "The queen's charge for Ireland," says Morriſſon, "from the 1st of April 1600, to the 29th of March 1602, was two hundred and eighty-three thousand, six hundred and seventy-three pounds nineteen shillings and four-pence halfpenny." Hist. of Ireland, fol. 197.

The catholics, in the different provinces of Ireland, were, on James's accession, so much elated with the hopes of the above-mentioned toleration, and had taken up such an opinion that the king himself was a catholic, that they ran into some excesses, which have been since unfairly represented by adverse historians, as so many overt acts of treason and rebellion. For, on that mistaken notion, they exercised their religion publicly, and even seized on some churches for their own use.^c The mayors of Cork and Waterford are said to have refused to proclaim the king, because

^c There never were more glaring instances of royal hypocrisy exhibited by any prince, than frequently appeared in James I. thro' the whole course of his reign. His seeming favour towards, or enmity against, his Roman catholic subjects, was always regulated by some present interest in view. In the year 1616, in compliance with the request of his puritanical parliament, he thus ridiculously expresses his sentiments, with respect to the punishment he would have inflicted on popish priests: "I confess," says he, "I am loath to hang a priest only for religion-sake, and saying mass: but if he refuses to take the oath of allegiance (which, let the pope and all the devils in hell say what they will, yet, as you find by my book, is merely civil) those that so refuse the oath, and are polypragmatic, I leave them to the law: to them I join those that break prison; for such priests as the prison will not hold, 'tis a plain sign nothing will hold them but the halter." Speech in the Star-chamber.

Yet in the year 1622, when he had a favourite point to carry (the marriage of prince Charles) at a popish court, he told his council in a public speech, "that the Roman catholics of England had sustained great and intolerable surcharges, imposed on their goods, bodies and consciences, during queen Elizabeth's reign, of which they hoped to be relieved in his: that now he had maturely considered their penury and calamities, that they were in the number of his faithful subjects, and that he was resolved to relieve them." Sir Peter Pett. Oblig. of the Oath of Supremacy, fol. 338.

In king James I.'s reign, even chief justice Coke maintained publicly at the trial of Mr. Turner, that popery was one of the seven deadly sins. And Bacon on the same occasion, then attorney general, and afterwards chancellor, took care to observe, that poisoning was a popish trick. Stowe tells us, that when
this

because they did not proclaim him precisely at the time appointed by the deputy; and the citizens of Cork would not, it seems, suffer the king's munition and artillery, which was entrusted to their keeping, to be conveyed to a new fort, built within their franchises, but against their consent. But we can easily make it appear, that these passages admit of a much more favourable interpretation, than that which has been given them. For it is not surely probable, that men who had preserved their allegiance under a severe persecution of their religion, during all the time of queen Elizabeth's reign; would, without any new cause, all
at

this king came to Newcastle, on his first entry into England, he gave liberty to all the prisoners, except those confined for treason, murder and papistry. Such, says my author, were the bigotted prejudices which prevailed in this age." See Hume's Hist. of Eng. vol. iv. p. 84.

Lord Mountjoy, in a letter to the sovereign of Wexford, acquaints him, "that whereas they excused their erecting of popish rites, by the report they had heard of his majesty's being a Roman catholic, he could not but marvel at their simplicity." Morris. Hist. fol. 287. And in a letter to the mayor of Cork he says, "I am given to understand that you have suffered the public celebration of the mass to be set up in your city, of your own fancies; and I assure you, contrary to the religion which his majesty zealously professeth." Morris. ib. fol. 288.

Indeed his majesty's notions in that respect, seem to have been, on some occasions, perfectly wild and romantic: for in one of his public speeches we find the following strange declaration addressed to the papists: "ye are intolerably silly," said he, "for thinking that the government of your souls was committed by God to the pope. For my part, I swear, and call God to witness, that if I had found out now, after all my deep study, daily reading, frequent conferences and disputations with learned men, and my most intense meditation on all I have read and heard, that the pope was Christ's vicar on earth, and that the same authority which Christ delegated to Peter, descended to him, I would not only turn papist, but would also kill any king, whose subject I was, that persecuted or opposed the popish religion, if the pope commanded me to do so." Porter. p. 270. Had his majesty been sincere in this speech, is it credible that he would have suffered any person to live in his dominions, who really believed the pope to be Christ's vicar on earth,

at once become rebels to a prince, from whom they hourly expected a toleration of it; and whom they generally believed to be privately of their own way of thinking in that respect. They excused their delay in proclaiming the king, by assuring his excellency, that it was occasioned,⁶ “only by their desire of doing it with the greater solemnity;” which excuse appears to have been accepted; for when they had, soon after, proclaimed his majesty, in the solemn manner they intended, Lord Mountjoy told them,⁷ “that in regard of their joyful and solemn way of doing it, he was willing to interpret their actions to the best, and took their good performance for an excuse.” And as to the hindering the munition and artillery to be carried to the fort, they alleged,⁸ “that the fort was commanded by a person, who had, on several occasions, shewn great contempt and enmity to their city; and that the soldiers there had offered them many abuses, shooting at their fishermen, and at the boats sent out for provision; and using them at their pleasure.” And they made it their request to his excellency, that, as the fort was built within their franchises, they might have the keeping of it

⁶ Morris. Hist.⁷ Id. ib.⁸ Id. ib.

(as all Roman catholics do) and who consequently must be supposed capable and ready to execute that, by the pope's command, which he himself thus solemnly declares he would do, in consequence of such belief.

In the eleventh year of this king's reign, “John Boys, D. D. dean of Canterbury, gained great applause by turning the Lord's prayer into the following execration, when he preached at Paul's cross on the fifth of November. “Our pope, which art in Rome, cursed be thy name, perish may thy kingdom, hindered may thy will be, as it is heaven, so in earth. Give us this day our cup in the Lord's supper, and remit our monies, which we have given for thy indulgences, as we send them back unto thee, and lead us not into hereby, but free us from misery; for thine is the infernal pitch and sulphur, for ever and ever. Amen.” Grainger's Biograph. Hist. of England, vol. i. p. 356.

Such was then, the almost incredible malignity and rancour against popery, that so prophane and ridiculous a travesty should be celebrated, as a performance of singular merit, in a dignified protestant divine.

it for his majesty, which they would do to their utmost peril. They had, besides, another excuse, which was not altogether disapproved of by his lordship; they knew that the deputy's power had determined with the queen's life; but they did not know that it was renewed by her successor.⁹ "It may be," says his excellency, in his letter to them on this occasion, "that you have rashly, and unadvisedly done this, upon some opinion of the ceasing of authority in the public government, upon the death of our late sovereign, which is somewhat more, though no way in true and severe judgment, excusable; and, I think otherwise, you never would have been so foolish." And it was then only that he first undeceived them as to that matter, by telling them,¹⁰ "That his authority, as lord deputy, was renewed, and confirmed by his then majesty's royal letters patent, under his seal; requiring them, upon their allegiance, to pay obedience to it;" and adding, "that if he should find they did so, he would be glad to have occasion to interpret all things past in the better part, and take as little notice as he could thereof."

But his lordship seems not to have waited for the effects of this letter, which is dated April the 27th; for on the first of the following month, he marched out with an army towards Munster, and on the 4th entered at a place called Gracedieu, near the city of Waterford; the citizens of which, refused at first, to receive his army into the town, being authorised thereunto by their charter; but they offered to give free and prompt admittance to his lordship, and his retinue, the chief of them having, for that purpose, come forth, and attended him in his camp.

What Lord Mountjoy seemed principally to resent in these people, to such a degree as thus suddenly to draw down the army upon them, was the boldness of several of the towns, and corporations,¹¹ "in setting up, of their own heads, the public exercise of the popish worship." For, in all his letters to the magistrates of that province, he takes particular notice of that boldness; frequently

⁹ Morrif. ib. fol. 288.

¹⁰ Id. ib.

¹¹ Id. ib.

frequently assuring them,¹² “ that his majesty was a good protestant ; and even threatening one of these towns,¹³ “ that if they did not desist from the public breach of his majesty’s laws, in the celebration of the Mass, he would think them fit to be prosecuted with the revenging sword of his majesty’s forces.”^d

And in truth his excellency, in this expedition to Waterford, appears, at first sight, to have acted the part rather of a meek and zealous protestant missionary, than that of an incensed leader of an hostile army. For, upon the citizens coming forth to pay their respects to him in his camp,¹⁴ he immediately required them to bring unto him one Dr. White, a famous Jesuit of that city, “ with whom,” says Morriffson,¹⁵ “ he disputed against some erroneous positions of popery ; all which,” adds my author, “ his lordship did (as no layman, I think, could better do) most learnedly confute.” It is but justice

¹² Morrif. ib. ¹³ Id. ib. ¹⁴ Id. ib. ¹⁵ Id. ib.

^d About the beginning of this reign, “ one Hewson, an English minister of Swords, fell violently on one Horish of that place, and took from him a crucifix, and hung the same upon a gallows, with these words under it, “ help all strangers, for the god of the papists is in danger.” Upon Horish’s complaining to the state, and producing the mangled and defaced crucifix, Sir Geoffry Fenton, secretary, insulted the poor man, snatched the crucifix from him, and cast it on the ground under his feet, and Horish for offering to complain of that abuse, was thrown into prison. Theatre of Cath. and Protest. Relig. p. 117.

The same Sir Geoffry Fenton did set a poor fellow on the pillory in Dublin, with the picture of Christ about his neck; for having carried the same before a dead friend at his funeral.” Id. ib. p. 118.

“ I ask,” says my author on this occasion, “ if any should hang the king’s picture upon the gallows, whether he should incur the king’s, or his subjects ill will, or no, by referring herein the indignity of abusing his picture to the king’s own person ? Certain it is, that one of the principal articles against O’Rorke, an Irish nobleman, who was executed in England for high treason in the former reign, was his having caused queen Elizabeth’s picture to be fastened to a horse’s tail, and afterwards dragged about and defaced, in scorn and derision.” Camb. Eliz. p. 589.

justice to observe, that his lordship, at the same time, did as learnedly confute an erroneous position in the citizens charter, granted by king John; by which they supposed themselves privileged to deny his soldiers entrance into their city. For his lordship told them roundly, without entering into the merits of the matter,¹⁶ “ that if they did not presently open their ports to him and his army, he would cut king John’s charter in pieces with king James’s sword; and that, if he entered the town by force, he would ruin it, and strew salt upon the ruins.”^c

C H A P. II.

A general act of oblivion.

KING James had succeeded to the English throne without opposition; and his catholic subjects, throughout the three kingdoms, made signal rejoicings on that account. Upon this occasion, he not only confirmed Tirone’s pardon, but also received him in England, (whither he was conducted by Lord Deputy Mountjoy) with singular marks¹ of favour; and soon after sent him back with honour,² to take possession of his estates in

¹⁶ Morrif. ubi supra.¹ Id. ib.

^c “ But this storm,” says an adverse writer, “ as soon as the lord deputy presented himself with an army before their walls, was appeased; and not long after, larger liberties and immunities were granted unto them, than formerly they had.” Desid. Curios. Hibern. vol. i. p. 416. Such privileges were afterwards granted them, “ that the justices of assize having no authority to hold their assizes there, the laws of religion (against recusants) could not be executed.” Ib. vol. i. p. 359.

² Tirone’s reception by the people of Beaumorris, where he landed, was very different. “ For no respect to the lord deputy,” says Morriffon, “ in whose company he rode up to London, could contain many women in these parts, who had lost husbands and children in the Irish war, from flinging dirt at him, with bitter words. And when he was to return, he durst not pass by these parts, without directions to the sheriffs to convey him, with troops of horse, from place to place, till he was safely embarked.” Morrif. Hist. of Ireland, fol. 296.

in Ireland; having set forth a proclamation, forbidding all persons to reproach him, at any time after, with the rebellion formerly raised by him, and then happily suppressed.

But ² although, by the suppression of this rebellion, the minds of the people were broken, and prepared to obedience, yet the state, upon good reason, did conceive, that the public peace could not be settled, till the hearts of the people were also quieted, by securing them from the danger of the law, which most of them had incurred, one way or other, in that great and general confusion; therefore, by a general act of state, called the act of oblivion, published by proclamation under the great seal, all offences against the crown, and all particular trespasses between subject and subject, were to all such as would come in to the justices of assize, by a certain day, and claim the benefit of this act, pardoned, remitted, and utterly extinguished,^b never to be revived, or called in question. And by the same proclamation, all the Irishry, who for the most part, had no defence, or justice from the crown, were received into his majesty's immediate protection. "This," continues my author, "bred such comfort and security in the hearts of all men, as thereupon ensued the calmest, and most universal peace, that ever was seen in Ireland."

Yet in the midst of this most calm and universal peace, his majesty, quite unmindful of all his former promises of favour to his catholic subjects, ordered a proclamation to be published, strictly forbidding the exercise of their religion to those of Ireland, banishing their clergy, and inflicting severe penalties on all such, as should be found to harbour, or entertain them; enjoining also the immediate and strict execution of the act of uniformity of the second of Elizabeth; which act, though

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pretended

² Sir John Davis's Historical Relations.

^b Happy indeed had it been for the proprietors of six entire counties in Ulster, had this solemn promise of oblivion been faithfully observed; or rather not so scandalously broken, in a few years after, as we shall presently see it was.

pretended to have been passed in the Irish parliament forty years before, was then first solemnly published.^c

By this act, all catholics are obliged to assist at the protestant church-service, every Sunday and holyday, on the penalty of twelve pence, and of what, indeed, was infinitely more grievous, the censures of the ecclesiastical courts, for each default.^d A method of proceeding very inconsistent with the fundamental principles of that religion, which this act was intended to introduce, viz. freedom of conscience, and the right of private judgment. Dr. Heylin has justly observed another absurdity in this statute. "The³ Irish," says he, "were obliged, under several penalties, to be present at the reading of the English liturgy, which they understood no more than they did the mass; by which means, they were not only kept in continual ignorance, as to the doctrines, and devotions, of the church of England, but also were furnished with an excellent argument against ourselves, for having the divine service celebrated

³ Eliz. fol. 128.

^c Some consciousness of this breach of promise appears in the proclamation itself, which was published on the 4th of July, 1605, and sets forth in the beginning, "that whereas his majesty was informed, that his subjects of Ireland had been deceived by a false report, that his majesty was disposed to allow them liberty of conscience, and the free choice of a religion, contrary to that which he always professed himself, by which means it has happened that many of his subjects of that kingdom had firmly resolved to remain constantly in that religion—wherefore he declared to all his beloved subjects of Ireland, that he would not admit any such liberty of conscience as they were made to expect by that report. And then orders all, and each, of his subjects, for the time to come, to frequent their respective churches, and chapels, &c.

^d There was another severity attending the execution of this statute. Roman catholics of condition, under the title of Inquisitors, were particularly appointed by the state, to watch and inform against those of their own communion, who did not frequent the protestant churches on these days; which, when thro' a scruple of conscience, they neglected, or refused to do, they were grievously fined, and condemned to a long and irksome imprisonment. See *Analect. Sac. Rivnis* in *Analect.* p. 25.

celebrated in such a language as the people did not understand.” *

On account of the great scarcity of such ministers, as could either preach, pray, or administer the sacraments in the language understood by their flocks at this time, this act was forced to dispense with itself; for it says, that “ forasmuch as in most places of this realm, there cannot be found English ministers to serve in the churches, or places appointed for common prayer, or to administer the sacraments, in such language as they best understand—we therefore beseech your majesty, that it may be enacted, &c. that in every such church, or place, where the common minister, or priest hath not the use or knowledge of the English tongue, it shall be lawful for the same, to say, and use the matins, even song, and celebration of the Lord’s supper, and administration of each of the sacraments, and all their common and open prayer, in the Latin tongue, in such order and form as they be mentioned and set forth in the said book (of common prayer) established by this act, any thing before expressed, and contained in this act to the contrary notwithstanding.” † There were no more but the representatives of ten counties summoned to this parliament, viz. those of Dublin, Meath, Westmeath, Louth, Kildare, Catherlough, Kilkenny, Waterford, Tipperary, and Wexford. ‡

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C H A P.

* Act 2 Eliz. c. 2. sub finem. † Lel. Hist. Irel. vol. ii. p. 225.

‡ To remedy this inconvenience, “ In the reign of James I. it was ordered, that the bible and common prayer should be translated into the Irish language; which was done: and every parish church was obliged to pay ten shillings for an Irish bible, when not one amongst an hundred could read, or understand it. And therefore,” adds my author, “ an Irish protestant bishop did laugh at this strange kind of alteration, and said to some of his friends, “ in queen Elizabeth’s time, we had English bibles, and Irish ministers; but now we have ministers come out of England unto us, and Irish bibles with them.” Most of the benefices and church livings in Ireland, were bestowed upon English and Scottish ministers, not one of them having three words of the Irish tongue.” Theatre of Cath. and Protest. Religion, p. 245.

C H A P. III.

Some observations on the statutes of supremacy and uniformity.

THE execution of the penal act last mentioned, and of the preceding statute of supremacy, was the more grievous, and unjustifiable, as they were both well known to have been imposed upon the nation by force, or fraud, though under the plausible appearance of parliamentary sanction.

As for the statute of supremacy, there is no question but the Irish chieftains were previously awed, and broken by a military force, in order to 'gain their consent to it.' "Lord Leonard Gray, to prepare the minds of the people to obey this statute, began first, (says Sir John Davis,) with a martial course, by making a victorious circuit round the kingdom, whereby the principal septes of the Irish were all terrified, and most of them broken; and then, after this preparation thus made, he first propounded, and passed those laws, which made the great alteration in the state ecclesiastical."

Of

' Sir John Davis's Historical Rel.

* Yet even when it came to be proposed in parliament, "lords and commons joined in expressing their abhorrence of the spiritual authority assumed by the king." *Lel. Hist. of Ireland*, vol. ii. p. 165. "But fear," says the same writer, "served to allay the violence of those, who could not be persuaded." However, "in despite of legislative authority, they still opposed that law with indefatigable zeal. Several incumbents of the diocese of Dublin, chose to resign their benefices, rather than acknowledge the king's supremacy." And so formidable, at least so considerable was this party, "that the archbishop (Brown) would not venture to fill up their benefices until he had consulted his patron Lord Cromwell." *Id. ib.* p. 167. These incumbents objected to the legality of that statute, because, "two proctors from each diocese, had been usually summoned and claimed to be a member of the legislative body, and to have a full right of suffrage in every question; and because, in this case, their claim was rejected." *Ib.* p. 165-6.

Of the statute of uniformity of the 2d of Elizabeth, all the Irish writers at, or near, that period, unanimously affirm, that it was surreptitiously or forcibly obtained. Mr. Lynch, in his *Cambrensis Everfus*, informs us, "that it was passed by the artifice of one Mr. Stanyhurst of Corduff, then speaker of the Irish Commons, who being in the reforming interest, privately got together on a day when the house was not to sit,^b a few such members as he knew to be favourers of that interest, and consequently, in the absence of all those, who, he believed, would have opposed it. But that these absent members, having understood what had passed in this secret convention, did, soon after, in a full and regular meeting of parliament, enter their protests against it; upon which the lord lieutenant assured many of them, in particular, with protestations and oaths, that the penalties of that statute should never be inflicted; which they too easily believing, suffered it to remain as it was. This, adds my author, I have often heard for certain truth, from many antient people, who lived at that time; and I am the more inclined to believe it, because the lord lieutenant's promise was so far kept, that this law was never generally executed, during the remainder of queen Elizabeth's reign;" which was more than forty years; that is, until all, or most of those members were probably dead, to whom such promise had been given.^c

" In

^b " In this house of commons, we find the representatives summoned for ten counties only; the rest, which made up the number of seventy-six, were citizens and burgessees of those towns in which the royal authority was predominant. It is therefore, little wonder, that in despite of clamour, and opposition, in a session of a few weeks, the whole ecclesiastical system of queen Mary was entirely reversed." *Lel. Hist. of Ireland*, vol. ii. p. 224.

^c Sir Christopher Nugent asserted publicly before the king, the traditional report of the Irish, that this statute was passed in the fraudulent manner above-mentioned. *Analect. Sacr.* p. 431.

On the passing of this act (2d Elizabeth) "the clergy, who refused

"In ² the very beginning of that parliament, January 12th, 1559, most of the nobility and gentry were so divided in opinion about ecclesiastical government," says Sir James Ware, "that the Earl of Suffex,⁴ then lord lieutenant, thought proper to dissolve it, in the beginning of the following month." We find also,³ that his excellency, upon dissolving the parliament, went to England, to consult her majesty on the affairs of the kingdom; that, in a few months after, having returned to Ireland, he received orders to call an assembly of the clergy, for the establishment of the protestant religion: and that, after this assembly had dispersed themselves, William Walsh, bishop of Meath, not content with what offers her majesty had proposed, was, for preaching against the book of common-prayer, first imprisoned, and afterwards deposed, by order of her majesty."

Now, as under the words, "ecclesiastical government," the whole purport and tendency of this act of uniformity are plainly comprehended, may we not reasonably conclude, from Lord Suffex's dissolving the parliament, on account of the jarring opinions of the members concerning that statute, and from the order which he soon after received, to call an assembly of the clergy, "for the establishment of the protestant religion," (which order, had that act been duly and legally passed, would have been needless, if not absurd) that the statute in question was not openly and regularly

² Annals,

³ Id. ib.

refused to conform, abandoned their cures; no reformed ministers could be found to supply their places; the churches fell to ruin; the people were left without any religious worship, or institution. Even in places of most civility, the statutes lately made were evaded or neglected with impunity." *Lel. Hist. of Ireland*, vol. ii. p. 226.

⁴ This earl, had been lord lieutenant of Ireland in the preceding reign of queen Mary, and had procured all the acts passed under Henry VIII. to the prejudice of the Roman catholic religion, in that kingdom, to be repealed. *Analect. Sacr.* p. 430.

larly carried, but that it was forcibly, or clandestinely imposed, in the manner before-mentioned ? °

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° We are told by a contemporary historian, that a similar artifice was successfully made use of, the year before, to get the like of uniformity passed in England ; which, probably, was considered as a good precedent for passing the Irish act in the same manner. " The bill," says my author, " met many rubs and lets among the members of the commons ; whereupon, by watching an opportunity to summon the favourers of it together, at one unexpected hour, when the opposers were likely to be absent, viz. early in the morning, before the ordinary hour of resort of knights, citizens and burgesses to the parliament house, and upon a day unlooked for, the statists procured the said bill to be suddenly, and most unjustly (though not without some difficulty) passed by the greater number of voices : the rather because of the absence, and subtle circumvention of the rest of their fellow-members." Hist. of the Reformation, vol. i.

A grave contemporary writer has left us the following curious anecdote concerning the first steps towards the reformation of religion in England ; " of which," says he, " I have seen a daily relation (of what passed in parliament) gotten from Mr. Cambden by a protestant bishop, and lent by him for some days to me. So as out of the same, I can truly affirm, that such burgesses and knights were cunningly packed out of every shire and borough town in the lower house, as, for their inclination to the protestant religion, or other private respects, would easily conform themselves to the queen's intentions ; and amongst the lords in the higher house, many great ones, loath to be long absent from their country sports, or by their first acts to distaste the young queen, absented themselves from parliament, and gave their proxies to the old Earl of Arundel, a known catholic, and to the Duke of Norfolk his son-in-law, not doubting but that they would do all things to maintain their religion against all undermining thereof. But it proved not so ; for the earl put into a vain hope of marrying the queen, when by his age he might have been more than her father, and the Duke of Norfolk being neither sound in religion, and for other ends of his own, not sincere in his proceedings, prevailed by their many proxies to exclude the bishops from sitting in parliament, all holy and learned men, able to have turned the business as they listed. After which vote passed, the queen's party in both houses still prevailed, so as not long after, new bishops, in place of the old, were chosen, some from Geneva, others out of Germany, of different religions ; yet contented for honour, wealth and wives, to join in any profession. Seven of them were apostate monks

monks and friars, and most of the rest mere laymen, having neither ordination nor jurisdiction, besides that which the queen and parliament could give them; commonly, therefore, called the parliament bishops, and patent prelates." Legacy left to Protestants, p. 83-4-5.

With this account that of Heylin seems in a great measure to agree. "Nor could the queen's design, says he, to bring about the reformation of religion, be so closely carried, but that such lords and gentlemen as had the management of elections in their several counties, retained such men for members of the house of commons, as they conceived most likely to comply with their intentions for a reformation. Amongst which none appeared more active than Thomas Howard Duke of Norfolk, whom the queen had taken into her council, Henry Fitz-Allen, Earl of Arundel, whom she continued in the office of lord steward, and Sir William Cecil, whom she had restored to the place of secretary, to which he had been raised by Edward VI. besides the queen was young, unmarried, and like enough to entertain some thoughts of an husband. So that it can be no great marvel, not only, if many of the nobility, but some even of the gentry also, flattered themselves with possibilities of being the man whom she might chuse to be her partner in the regal diadem, which hopes much smoothed the way to the accomplishment of her desires, which otherwise might have proved more rugged and unpassable than it did at the present. Yet, notwithstanding all their care, there wanted not some rough and furious spirits in the house of commons, who eagerly opposed all propositions which seemed to tend unto the prejudice of the church of Rome." Hist. of Queen Eliz. fol. 107.

There were but fifteen bishops then actually in England, all the other sees being vacant by the death or flight of their possessors, of whom fourteen were deprived for refusing to take the oath of supremacy to the queen. Kitchin alone, bishop of Landaff, took it, "who," says Heylin, "having formerly submitted to every change, resolved to shew himself no changeling in not conforming to the pleasure of the higher powers." Ib. p. 114.

I will here subjoin the account given by the above anonymous author, of the manner of providing successors to those deprived bishops, because it is particular, and seems authentic, and the book in which it is contained is not easily met with.

"I know," says he, "they have tried many ways, and feigned an old record, to prove their ordination from catholic bishops; but it is false, as I have received from two certain witnesses, the former of them was Dr. Darbyshire, then dean of St. Paul's, and nephew to Dr. Bonner, bishop of London, who almost sixty years since lived at Meuse-pont, then an holy religious man, very aged, but perfect in sense and memory, who speaking what he knew, affirmed to myself and another with me,

that

C H A P. IV.

Sir Arthur Chichester's government.

IN the year 1605, " Lord Deputy Chichester, (who had been a pupil of the famous arch-puritan Cartwright,

¹ Presbyterian Loyalty, p. 161.

that like good fellows, they made themselves bishops at an inn, because they could get no true bishops to consecrate them. My other witness was a gentleman of known worth and credit, dead not many years since, whose father, a chief justice of England, visiting archbishop Heath, permitted by queen Elizabeth to live in Surry, at the parsonage house of Cobham, saw a letter, sent from bishop Bonner out of the marshalsea by one of his chaplains to the archbishop, read whilst they sate at dinner together, wherein he merrily related the manner how these new bishops (because he had dissuaded Oglethorp, bishop of Carlisle, from doing it in his diocese) ordained one another at an inn, where they met together; and whilst others laughed at this new manner of consecrating bishops, the archbishop himself gravely, and not without tears, expressed his grief to see such ragged companions, come poor out of foreign parts, appointed to succeed the old clergy in rich deaneries, prebendaries, and canons places, who had such ill luck in meeting with dishonest wives, as an ordinance was put out by the queen and parliament, that no woman should, for a wife, be commended to any minister, without her honesty withal could be sufficiently testified unto him. And many who had been clergymen before, were urged either to take wives, or lose their benefices, as many were content to do, and follow these bishops example." A Legacy to Protestants, p. 85.

Heylin himself owns, " that partly by the deprivation of these bishops, deans, prebends, &c. there was not a sufficient number of learned men to supply the cures which, says he, filled the church with ignorant, illiterate clergy, whose learning went no farther than the liturgy or the book of homilies. And that many were raised to great preferments, who having spent their time of exile in such foreign churches as followed the platform of Geneva, returned so disaffected to episcopal government, as not long after filled the church with sad disorders." Hist. of Queen Eliz. fol. 115.

What wonder then, if men so principled and needy, would submit to be made bishops in the manner above-mentioned, meerly for the sake of the temporal emoluments and dignity, and without any real regard to the sacredness of the order?

¹ This Cartwright was so staunch a non-conformist, even as
to

wright, and was himself a great patron and encourager of that sect,) having² ordered the Roman catholic aldermen, and some of the principal citizens of Dublin, to be called before the council, exemplified under the great seal, and published the above-mentioned act of uniformity; in regard," says my author, "there was found to be a material difference between the original record and printed copies; that none might pretend ignorance of the original record; and added thereto the king's injunction for the observance of it."

Mr. Carte³ has discovered no less ignorance than partiality in his manner of justifying the execution of this penal statute, at that juncture. "The Irish catholics," says he, "became accidentally subject to the small pecuniary penalties of it, forty years after it was made, upon their separation from the public worship of the (established) church of Ireland; and it was reasonable to imagine, that such a sudden defection should have irritated the government, and put them upon some^b wholesome severities, to stop it in the beginning." Here is a cause assigned for inflicting this penalty, which never existed but in the historian's brain. For their separation, and sudden defection, from the public worship of the church of Ireland, necessarily supposes their
former

² Harris's Hist. of Dublin.

³ Life of Ormond, vol. i.

to ceremonials, that in his reply to Archbishop Whitgift, he makes use of these words: "Certain of the things we stand upon are such, that if every hair of our heads were a life, we ought to afford them, for the defence of them." Sir George Paul, in his life of Archbishop Whitgift, tells us, "that in his prayer before his sermons," he used to say, "because they (meaning the bishops) which ought to be pillars of the church, do band themselves against Christ, and his truth, therefore, O Lord, give us grace and power, as one man, to set ourselves against them." p. 47.

^b Yet, in another place, he owns, "that the penalties of this act were raised for the private gain of ministers; and had always occasioned a clamour abroad, of a terrible persecution; and if rigorously executed (adds he) it would be a force upon the consciences of the poor ignorant Irish, as they stood informed." Cart. Orm. vol. i. fol. 523.

former agreement and conformity to it; but this he could not suppose of the Irish in general, without a barefaced contradiction to known facts. For so steadfastly did these people adhere to their antient religion in that, and the former reign, notwithstanding the many alluring offers, and terrifying punishments made use of to withdraw them from it, that Chichester himself, who had often employed both means of seduction, was heard to exclaim, in the rage of disappointment,⁴ “that he believed the very air and soil of Ireland were infected with popery.”^c The barbarous incivility, already mentioned, which the young Earl of Desmond met with from his countrymen, and followers, after they were convinced of his conformity to the public worship of the church of Ireland, is a sufficient refutation of this mistake.

The king about this time,⁵ sent instructions to the state, for ministering the oath of supremacy to the catholic lawyers and justices of peace; and for putting the laws against recusants in strict execution. Accordingly,⁶ “of sixteen aldermen and citizens of Dublin, summoned before the privy council, nine were censured in the castle chamber; and six of the aldermen were fined, each in one hundred pounds; and the other three, in fifty pounds each; and they were all committed prisoners to the castle, during the pleasure of the court. It

⁴ *Analecta Sacra.*

⁵ *Carte ubi supra, vol. i. fol. 21.*

⁶ *Harris ubi supra.*

^c “It is notorious,” says Abbe Geoghegan, “that notwithstanding the severity of the laws made in Ireland against the Roman catholic religion, during the reigns of Henry VIII. Edward VI. and Elizabeth, even to that of James I. not sixty of the Irish embraced the protestant religion, though Ireland contains more than two millions of souls.” *Hist. of Irel.* p. 422.

And when the same deputy made a present of a fine horse to the king, being asked by his majesty, whether it was of Irish breed, and being answered in the affirmative, his majesty swore aloud, that then certainly it must be a papist, for that he believed all things produced in Ireland, even the very animals were papists. *Analect. Sacra.*

It was at the same time ordered, that none of the citizens should bear offices until they had conformed. For which reason the cities and towns were obliged to take up with very unfit persons for magistrates. "In the year 1614, Edward O'Molownie, an alderman of Dublin, was chosen to be mayor of that city, but because," says my author, "he would not go to church, nor take the oath of supremacy, he was laid aside, and Richard Foster, a young man, was permitted to take the office upon him. And when, on the accustomed day, he was presented at the exchequer bar, Sir William Methold, lord chief baron, in his speech, on that occasion, said among other things, "that this mayor had leapt a salmon-leap, for that he saw many grave and grey-headed men there standing about him, whose turn was to have been mayors before him; but he said the cause of their not being mayors, in plain terms was, because they would not take the oath of supremacy, which he was sorry for." ⁷

On this occasion, "all the old English families of the pale, took the alarm, and boldly remonstrated against the severity of these proceedings. They denied the legality of the sentence by which these severities were inflicted, and urged, that by the statute of 2d of Elizabeth, the crime of recusancy had its punishment ascertained, and that any extension of the penalty was illegal and unconstitutional. Their remonstrance was presented to the council by an unusual concourse of people, but the chief petitioners were confined in the castle of Dublin; and Sir Patrick Barnwell, their great agent, was, by the king's command, sent in custody into England." ^{d 8}

The

⁷ Desid. Cur. Hib. vol. ii. p. 284-5. ⁸ Lel. vol. ii. p. 421-2.

^d The zeal of this deputy (Sir Arthur Chichester) was so intemperate and forward, that even the king and council of England found it necessary to restrain it. In a letter of July 3d, 1606, to him, containing some complaints against his administration by Sir Patrick Barnwell (then prisoner in the tower for having made such complaints), viz. the deputy's sending for those precepts under the great seal, to compel men to come to church, the denying private men to see their indictments, and of raising
new

The king on this subject wrote to Chichester, "that he thought both the order he had taken for reformation, and the punishment he had inflicted upon some of the aldermen of Dublin, and certain others whom his letters mention, for their contempt, to be not only just, but necessary. And that he conceived hope, that many, by such means, will be brought to conformity (in religion) who perhaps hereafter will find cause to give thanks to God, and him, for being drawn by so gentle a constraint to their own good."

Hard as this treatment of the catholic laity was, amidst "the calmest and most universal peace that was ever known in Ireland," that of their clergy was still more rigorous. To omit many other instances, the

° Defid. Cur. Hib. vol. i. p. 465.

new and excessive fees, they tell him "that they thought it good, before they fall to any usual order with him (Sir Patrick Barnwell), to be somewhat cleared in the first important matter, to the intent that when they knew his ground, they might the better pronounce and publish the offence of any that had, or should presume to censure his proceedings; and this they did the rather, because they pre-supposed he would not have taken that course, but that he found there some particular authority by law or precedent, which as yet was unknown to them in England. They add, that to the other exceptions, they send him what Sir Patrick Barnwell sayeth, and what he offereth to prove; to which they would have the deputy send them some answers, rather for form's sake, &c." Defid. Curios. Hibern. vol. i. p. 489.

And in another letter to the same deputy, September 2, 1608, they say, "concerning the proceedings of the state in sending forth the mandates (precepts before-mentioned) by the judges, who desire to be spared till their return from their circuits for giving their reasons; we allow it very well, that they should take their time, it being sufficient for us to know, that they have done it upon good grounds; because all such proceedings in matters of religion, want not captious eyes in that kingdom; wherein, because we did sufficiently let you see within what bounds his majesty wished you to contain yourselves as near as you could, we mean to touch that point no farther at this time, saving only to one part of your letter of the 9th of July, to let you know that if any motion shall be made here for reviving of a high commission, it shall appear that his majesty thinketh the same unreasonable, and therefore, without order from him, we require you to forbear giving any way to it." Id. ib. p. 496.

the case of Robert Lawler deserves particular notice.^c When this poor man was thrown into prison, for exercising the function of a Roman catholic priest, he,¹⁰ in order to remove all suspicion of his maintaining, or teaching any

¹⁰ Sir John Davis's Reports in fine.

^c " Robert Lawler had obtained from the court of Rome the title and jurisdiction of vicar general of the See apostolic within the archbishoprick of Dublin, and bishopricks of Kildare and Ferns. Upon his first examination, after he was apprehended in Dublin by the lord deputy himself, he acknowledged that he was a priest, and had accepted the title and office of the pope's vicar general, and had exercised spiritual jurisdiction in *foro conscientie*. And in sundry other points he maintained and justified the pope's authority; only he said he was of opinion that the pope had no power to excommunicate, or depose his majesty, because the king is not of the pope's religion. The name and reputation of the man, and the nature of the cause, drew all the principal gentlemen, both of the pale and of the provinces that were in town to the hearing of the matter: he was not a little abashed at the publishing of his examination and confession in the hearing of so many gentlemen to whom he had preached a contrary doctrine; and therefore said, that the shewing forth that confession was altogether impertinent and beside the matter; howbeit he could not deny, but that he made it, and signed it, and swore it, as it was testified by the lord deputy and the rest. Upon his being questioned about his distinction between spiritual and ecclesiastical causes, he answered, that indeed he had said to some of his friends who visited him in the castle of Dublin, that he had not confessed or acknowledged that the king was his supreme governor in spiritual causes; for that the truth is," adds my author, " in the confession there is no mention of spiritual causes, but of ecclesiastical: and upon being further asked by the attorney general, what difference he made between spiritual and ecclesiastical causes, he answered, that that question was sudden, and unexpected at that time, and therefore he would do well to take another day to dispute that point." Sir John Davis's Report, from p. 84. to p. 96.

" Cnohor O'Duana, bishop of Down and Connor, was apprehended in July, 1612, and committed to the castle of Dublin, wherein he lived in continual restraint many years; but having at last escaped out of prison, and having been afterwards taken, he was hanged, drawn and quartered on the 1st of February." Theatre of Cath. and Protest. Relig. p. 578.

The chaplain of this bishop, Bryan Carrulan, John O'Onan, Donoghew M'Reddy, and John Luneas, priests, suffered also, in Ireland in this reign." Id. ib. p. 586.

any seditious doctrines, made the following confession, before the lord deputy and council, and afterwards confirmed it on oath, viz. "That he did acknowledge his sovereign king James to be his lawful chief, and supreme governor, in causes as well ecclesiastical as civil; that he was bound in conscience to obey him, in all said causes; and that neither the pope, nor any other foreign prelate, or potentate, had power to control the king in any causes ecclesiastical, or civil, within that kingdom, or in any other of his majesty's dominions." Yet this extreme condescension could not, it seems, prevent his condemnation. The only pretence for this severity was, his having denied privately to some of his friends, who visited him in prison, that he had ever made such confession as was derogatory to the spiritual authority of the Roman pontiff; for, he told them, "that he had not acknowledged that the king was supreme governor in spiritual causes, but in ecclesiastical." Whether this distinction, calculated for the private satisfaction of his friends, was well or ill founded, I shall not take upon me to determine; but certain it is, that it cancelled all the merit of his public confession.

C H A P. V.

The conspiracy and flight of the earls.

THESE severities not having produced the desired effect, which, probably, was a new insurrection, and consequently new forfeitures; another expedient was made use of which had been ^a lately successful, viz. private

^a This was then thought to have been a contrivance of Secretary Cecil, whom Osburne calls "an adept in state tricks," and who, two years before, found the like expedient to have succeeded in the affair of the gun-powder treason. (See an essay towards a new history of that treason.) "Cecil," says Mr. Dodd, "was an adept in framing fictitious plots, and has left instructions behind him to succeeding ministers, when and how to make use

private information of an intended conspiracy of the Irish, by means of an anonymous letter. But that there was in fact no such conspiracy, and that this letter was merely a state-trick, to ensnare the innocent, by forged accusations, we have as good proof, as can possibly be had of a negative, in the manifest absurdity and contradiction of the different accounts which have been left us of it.

The first of these accounts, which is taken from Dr. Henry Jones, bishop of Meath, and formerly scout-master general to Cromwell's army, runs thus: ' Anno 1607, there was a providential discovery of another rebellion in Ireland, the Lord Chichester being deputy; the discoverer not being willing to appear, a letter from him, not subscribed, was superscribed to Sir William Usher, clerk of the council, and dropt in the council-chamber, then held in the castle of Dublin; in which was mentioned a design for seizing the castle, and murdering the deputy, with a general revolt, and dependance on Spanish forces; and this also for religion: for particulars whereof, adds the bishop, I refer to that letter, dated March the 19th, 1607.' From hence it appears

• Preface to Borlase's History of the Irish Rebellion.

use of them against catholics. The original of these instructions, in Cecil's own hand-writing, was formerly in the keeping of the infamous Judge Bradshaw, by whom it was shewn to Sir William Percival, who communicated it to a gentleman of great worth, who died anno 1697, and left it among other papers of remarks upon the times." Ecclesiast. Hist. vol. iii: fol. 196.

The traditional account of this forged conspiracy is adopted and thus related by that learned English divine James Anderson, D. D. in his book, entitled Royal Genealogies, and dedicated to his royal highness the late Prince of Wales, p. 786. &c. published anno 1736: " Artful (Secretary) Cecil employed one St. Lawrence to entrap the Earls of Tirone and Tyrconnel, the Lord of Delvin, and other Irish chiefs into a sham plot, which had no evidence but. his. But those chiefs being basely informed, that witnesses were to be hired against them, foolishly fled from Dublin, and so taking guilt upon them, they were declared rebels, and six entire counties in Ulster were at once forfeited to the crown, which was what their enemies wanted."

appears, that the first discovery of this conspiracy arose from the anonymous letter above-mentioned.

Doctor Carlton, bishop of Chichester, a cotemporary writer, has left us a prolix but different account of the discovery of this conspiracy, in which there is no mention made of this anonymous letter. The substance of his account is what follows.

“Montgomery,² bishop of Derry,” says he, “suspected, or was told, that Tirone had gotten into his hands the greatest part of the lands of his bishoprick; which he intended, in a lawful course, to recover; and finding there was no man could give him better light or knowledge of these things than O’Cahane (who was great with Tirone), made use of such means that he (O’Cahane) came to him of his own accord, and told him, he could help him to the knowledge of what he sought, but that he was afraid of Tirone; yet he engaged to reveal all that he knew of that matter, provided the bishop would promise to save him from Tirone’s violence, and not deliver him into England, which the bishop having promised, he brought O’Cahane to the council in Dublin, to take his confession there. Upon this, processess were sent to Tirone to warn him to come up to Dublin, at an appointed time, to answer the suit of the lord bishop of Derry. There was no other intention but in a peaceable way, to bring the suit to a trial; for the council then knew nothing of the plot. But Tirone having entered into a new conspiracy, of which O’Cahane was, began to suspect, when he was served with a process to answer the suit, that this was but a plot to draw him in, and that surely the treason was revealed by O’Cahane. Upon this bare suspicion, Tirone with his confederates fled out of Ireland, and lost all those lands in the North.” Dr. Carlton adds, “that he had this account of the discovery of the conspiracy from the bishop of Derry himself. The reader will please to recollect, that, according to the bishop of Meath’s story, the first discovery of this plot was made to the council by an anonymous letter dropt in the

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² Thankful Remembrance, &c. p. 168.

council-chamber; but, by the bishop of Derry's account, the actual flight of the earls and their confederates, out of the kingdom, was what alone excited in them the first suspicion of the conspiracy.

But let us reflect a moment on the obvious incredibility of this latter bishop's tale. O'Cahane, a prime catholic gentleman, possessed of a very large estate, enters into a conspiracy with Tirone against the protestant religion and government of Ireland; and yet, at the same time, he comes "of his own accord," to a protestant bishop, to put him in a way to deprive the person who was to be his chief leader in that conspiracy, of a great part of his estate, the loss of which must have proportionably lessened that leader's power to carry it on; and this he does for no other recompence, but a promise from the bishop that he will save him from Tirone's violence; that is to say, from the violence of a man, with whom he was not only great, but also joined in a plot against the government. Now supposing that O'Cahane only knew that Tirone was engaged in such a conspiracy, without being himself an accomplice in it, would he not have thought such knowledge of his guilt a much better security and defence against Tirone's violence, (as it put him absolutely in his power) than any promise of protection from the bishop could be? But as it is supposed, that he was actually concerned with Tirone in that conspiracy, what can be more absurd than to imagine, that he would, of his own accord, and without any suitable recompence, have thus provoked his leader to seek revenge, and his own pardon by revealing his (O'Cahane's) guilt? For it is not even pretended that O'Cahane had any thoughts, all this while, of discovering this plot; and how he could have expected to carry it on in concert with Tirone, after having thus provoked and injured him, is, indeed, a mystery not easily unravelled.^b

Sir

^b Incredible as these things are, yet in order to carry on the farce thoroughly, and to garble up O'Cahane's great estate among the

Sir John Temple's account of this conspiracy³ is much shorter than that of either of these bishops, but equally incoherent and absurd. "In this state," says he, "the kingdom continued under some indifferent terms of peace and tranquillity, until the Earl of Tirone took up new thoughts of rising into arms. And into this rebellious design he drew the whole province of Ulster, then entirely at his devotion. But his plot failed; and finding himself not able to get together any considerable forces, he, with the principal of his adherents, quitting the kingdom, fled into Spain."⁴

The contradiction of Tirone's having drawn the whole province of Ulster into his rebellious designs, and at the same time, his not being able to get together any considerable forces, is too glaring to need any further animadversion.

G 2

These

³ See his History of the Irish Rebellion, vol. i. p. 100.

the rest, O'Cahane himself was afterwards seized, as one of the conspirators, and forfeited like the other gentlemen of Ulster. The king and council, however, discovered some tenderness with respect to him, before his actual seizure. For they desired the deputy "to bring him to conformity, by shaking the rod over him; but if that would not do, his majesty was pleased, that he should use his discretion in drawing down some force upon him." This letter is dated January, 24th, 1607. And in another letter of the 20th of November following, they say, "but for O'Cahane, whom it seemeth you have imprisoned, we like well of the course you have taken with him. And we allow also very well of your placing his son in the college." *Considerata Curiosa Hibern.* p. 508-13.

⁴ Tirone was at this time so closely looked after, "that he was heard to complain, that he had so many eyes watching over him, as that he could not drink a full carouse of sack, but the state was advertised thereof within a few hours." Sir John Davis's Hist. Relat. p. 117.

⁵ "Tirone (on this occasion) fled privately into Normandy, in 1607, thence to Flanders, and then to Rome; where he lived on the pope's allowance, became blind, and died in the year 1616. His son was, some years after, found strangled in his bed at Brussels; and so ended his race." Borlase's Reduct. of Ireland, p. 184.

These are the only written accounts I have yet met with, after a very diligent search, of this conspiracy and flight of the earls, from which, I presume, the candid reader will conclude, that there never was any such conspiracy; and that these accounts were then framed, however injudiciously, to give some colour of right to public acts of slander, oppression and rapine.*

Dr. Leland has justly observed on this occasion,⁴ "That it seems extraordinary, that the northerns, who were still smarting with the chastisement they had received in the late rebellion, whose consequence and influence were considerably diminished, and who were very lately reconciled to government, and invested with their honours and estates, should precipitately involve

⁴ Hist. of Ireland, vol. ii.

* Our historians assert, as some alleviation of the general distresses caused by the seizure of these six counties in Ulster, that many of the catholic natives were permitted to settle on these plantations; and even to purchase some part of them; but it appears from Sir Thomas Philips's account, which is unquestionable, "that the fundamental ground of this plantation was the avoiding of natives, and planting only with British." Harris's Hibern. fol. 131. "It is true," says the same Sir Thomas, "that, after a prescribed number of freeholders and leaseholders were settled upon every town-land, and rents therein set down, they might let the remainder to natives for lives, so as they were conformable in religion, and for the favour, to double their rents." MSS. fol. 108. For which reason it probably was, that of about two hundred undertakers in the whole plantation of these six escheated counties, there were not, in the year 1608, more than about ten or twelve Irish. See Pinnar's List, Harris's Hibern. fol. 127.

The O'Farrells of the county of Longford, in their remonstrance, November 10th, 1641, set forth, among other grievances, "that the restraint of purchase, in the meer Irish, of lands in the escheated counties, and the taint and blemish of them and their posterities, did more discontent them, than that plantation-rule; for that they were brought to that exigence of poverty, in these late times, that they must be sellers and not buyers of land." Borl. Ir. Rebel. fol. 53, note.

"The six escheated counties in Ulster, amounted to five hundred thousand acres." Lel. Hist. of Irel. vol. iii. p. 429.

volve themselves in a new rebellion." Such an event indeed, in these circumstances, not only seems extraordinary, but actually is, at least in a moral sense; utterly incredible.

But as the same historian endeavours to refute the only traditional account which has been hitherto handed down to us of it, viz. that the flight of the earls was occasioned by the treachery of one of the family of St. Laurence; by merely supposing, "that, if any art or treachery had been used to render the earls obnoxious to the law, they would themselves have explained the deep scheme, and have left some memorials, in vindication of their conduct, either in Spain or Rome, where they were entertained and protected. But as no such memorials (says he) have appeared, they seem to have acquiesced in the charge of conspiracy against the English government." But to this it may be answered, on a much more probable supposition, that these noblemen were not, perhaps, expert at drawing up memorials; or rather, that they were in too desponding and necessitous a condition, to do more than relate their misfortunes, and the manner in which they were brought on them, verbally, in order to obtain a subsistence from those courts to which they fled for refuge; and that this traditional account was originally derived, and uniformly handed down to us, from such verbal relation.

That St. Laurence was capable of that and greater wickedness, we shall be very apt to suspect, if we give credit to the following passage related of him by Mr. Cambden: "Towards the end of the former reign, when the unfortunate Earl of Essex unexpectedly returned to England, from his viceroyship of Ireland; on the road, and in his way to court, Lord Grey of Wilton, one of his greatest enemies, rode swiftly by him, without either speaking to or saluting him: the earl fearing that his lordship would misrepresent him to the queen; and Sir Thomas Gerard riding after him, and requesting, but in vain, that he would do the earl no ill office at court; Christopher St. Laurence,

rence, who among others attended the earl from Ireland, offered his service to kill both Lord Grey on the road, and the secretary at court. But the Earl of Essex, (adds my author) heartily averse to such wickedness, would by no means consent to it.”⁵

But let us try the force of this historian's negative reasoning, on the opposite side of the question. The king himself was so apprehensive that this affair of the earls “might blemish” (as he expresses it in a proclamation on that occasion) “the reputation of that friendship which ought to be mutually observed between him and other princes, that he thought it not amiss, to publish some such matter, by way of proclamation, as might better clear men's judgments concerning the same.” At the same time solemnly promising, “that it should appear to the world as clear as the sun, by evident proof, that the only ground and motive of these earls departure, was the private knowledge and inward terror of their own guiltiness.”⁶ But neither in that proclamation, nor in any other authentic instrument, nor in any manner whatever, did his majesty deign, ever after, to enlighten the world, even with the least glimpse of evident proof, that such was the only motive of these earls departure. And I shall leave it to the decision of every candid reader, whether this non-performance of his majesty's solemn promise, be not a better negative proof of the nullity and fiction of this conspiracy of the earls, than the bare non-appearance of a memorial in their vindication, can be deemed of its reality?

C H A P.

⁵ Elizabeth, p. 741. ⁶ Let. Hist. of Irel. p. 425.

C H A P. VI.

Puritan bishops in Ireland.

DURING Sir Arthur Chichester's government, several of the established clergy were puritanically affected, if not puritans professed. Of this number was the famous doctor, afterwards primate, Usher; for when in the year 1605, he was Provost of the College of Dublin, "the whole doctrine of Calvin" was, by his management, received as the public belief of the Irish church, and ratified by Chichester in the king's name.¹ It was, in short, he that drew up those Calvinistical articles then agreed to in convocation; which were afterwards condemned and abolished by Lord Deputy Wentworth, containing arrant Brownism, and confirming not only the Lambeth-articles, suppressed by queen Elizabeth, and afterwards rejected by king James, but also several particular fancies and notions of his own."

"After the repeal of the Irish act against the bringing in of the Scots,² retaining them, and marrying with them, the Scottish presbyters came over to Ireland in great numbers. These the Irish bishops condescended to ordain, not as performing the function of bishops, for they would not receive ordination from them as such, but as mere presbyters, assisting with some of their own ministers, in order to qualify them to enjoy benefices in the church. And these bishops were so exceedingly complaisant, on such occasions, that they left out all those expressions in the established form of ordination which these ministers excepted against; inserting

¹ Carte's Ormond. ² Id. ib. vol. i. fol. 73.

³ Presbyterian Loyalty, p. 162.

serting and using such others as they consented to and approved of. After this method Mr. Blair was publicly ordained by Dr. Eccles, bishop of Down, in the church of Bangor; and all those of the presbyterian persuasion, who were ordained in Ireland between the years 1622 and 1642, were ordained after the same method; and all of them so ordained enjoyed the churches and tythes, though they remained presbyterians still, and used not the liturgy. And there was, adds my author, a civil comprehension between them, and a sort of an ecclesiastical comprehension too; for they frequently met, and consulted with the bishops about the affairs of common concernment to the interest of religion; and some of them were members of the convocation in 1634." The same author informs us, "that these presbyters employed themselves in their ministerial work, to the approbation of all the moderate and sober episcopalians, and particularly of the great primate Usher, from whom they had great applause."

C H A P. VII.

Warm contests in the Irish house of commons.

IN the year 1613, a parliament was called,^a wherein the

^a The only parliament that was held in Ireland since the year 1586. Ware's Annals.

"About the 18th of May 1613, the lord deputy, with all the peers of the realm, and the clergy, both bishops and archbishops, attired in scarlet robes very sumptuously, with sound of trumpets; the Lord David Barty, Viscount Buttevant, bearing the sword of state, and the Earl of Thomond bearing the cap of maintenance; and after all these, the lord deputy (now Baron of Belfast) followed, riding upon a most stately horse, very richly trapped, himself attired in a very rich and stately robe of purple-velvet, which the king's majesty had sent him, having his train borne up by eight gentlemen of worth. They rode from the castle of Dublin to the cathedral church of St. Patrick, to hear divine service, and a sermon preached by the reverend father in God, Christopher Hampton, archbishop of Armagh, and

the attainder and outlawry^b of the noblemen and gentlemen of Ulster, for the before-mentioned pretended conspiracy, together with several other acts, injurious to the religion and property of the natives, were intended to be passed. "The Irish," says Mr. Carte,^c "on this occasion, were apprehensive that some further penal laws, particularly against harbouring Jesuits^c and seminary priests, and for obliging not only magistrates in corporations, but also professors of the law and others, to take the oath of supremacy, would be enacted." And that apprehension was but too well founded. Knox, a Scotch puritan, and bishop of Raphoe, had informed the deputy, that the only sure means

^a Life of Ormond, vol. i.

and primate of all Ireland. But as many of the nobility of Ireland (adds my author) as were recusants, went not into the church, neither heard divine service or sermon, notwithstanding that they were lords of the parliament-house; but they stayed without during the time of service and sermon. Now when service was done, the lord deputy returned back to the castle, these recusant lords joining themselves again with the rest of the estate, and rode to the castle in manner as they came from thence (where the parliament was held) this was the first day of its meeting." *Desider. Curios. Hibern.* vol. i. p. 166-7.

^b While this act of attainder was under debate in this session, we are told in the Journals, that "doubts arose in some scrupulous consciences, that Tirone was oppressed, that he complained and was not redressed, and therefore requisite to fly out." To which the answer was, "that for religion or justice, no man ought to rise against the prince; and that the law of repelling force by force took place only where there was a parity, not otherwise." *Comm. Journ.* vol. i. fol. 16. Does not this answer imply a confession of the wrongs which Tirone complained of?

^c There was actually a bill of that kind sent over by the deputy, concerning which the king tells him and the council, in returning the other bills, "We think it a fit time to dispatch from hence, Sir John Davis, our attorney general of that kingdom, with those bills which were first transmitted thither, under the great seal of England, and were lately sent for hither again, by our special direction, to the end that the bill against the Jesuits, &c. might be taken away from the rest, to be further considered by us; which we ourselves have done with our hands." *Desid. Curios. Hib.* vol. i. p. 325.

means of extirpating popery out of Ireland, was by the death or banishment of the persons, and the confiscation of the properties of papists. And although neither of these expedients was fully adopted by his excellency, yet, from that malignant insinuation, he certainly meditated some new and severe parliamentary restrictions upon them at that juncture. For this purpose, several new boroughs were hastily created in Munster and Connaught;^d some, and those not a few, even after the writs had been issued; and from the ancient boroughs and towns, many undue returns of aliens, and other unqualified persons, were openly procured.^e

Under

^d "The deputy," says Dr. Leland, "continued to increase the new boroughs to the number of forty; of which several were not incorporated, until the writs for summoning a parliament had already issued. This awakened the fears of the numerous party of recusants; some additional severities against those who refused to abandon the Romish communion, some additional penal statutes, or at least the revival of those already made, were naturally dreaded." *Hist. of Ireland*, vol. ii. p. 445. The same author had before informed us, "That these new boroughs being most of them inconsiderable, and many too poor to afford wages to their representatives, must have been entirely influenced by government, and returned its creatures and immediate dependents; and that they were represented by attorneys clerks, and the servants of the lord deputy." *Ib.* p. 443.

The new boroughs were forty. Sir John Davis's Speech, *Defid. Cur.* p. 190.

^e The Roman catholics complained, on this occasion, that they were put in fear of their lives, by a great number of soldiers, drawn from the distant garrisons into the castle of Dublin, where the parliament was then held. On the other hand, the deputy pretended, that he drew these soldiers to Dublin on "his foreseeing that there would be an extraordinary number and concourse of people to the city in the parliament-time, and that if any great disturbance or broil happened, he might want men to repress the same." *Def. Cur. Hib.* v. i. p. 356-7. The commissioners sent by the king, to enquire into the foundation of these and other complaints of the Irish, though they discover prejudice enough against the catholics, reported to his majesty, "that upon their having examined some of the recusant members, they

Under these circumstances, when, on the first day of the session,² Sir John Davis was proposed for speaker, Sir James Geogh said, "That he observed many persons in the house,³ who had no right to sit there as members; and therefore moved, that their votes might be for a time suspended, until a speaker was chosen; after

² Reeves in *Analect.* part ii. p. 14.

they did affirm upon their oaths, that the disorders in the house of parliament on the first day of its meeting, caused them to apprehend a fear of some danger to their persons, seeing so many swordsmen in the house, and themselves, for the most part, in gowns, without weapons." *Ib.* p. 356. "That the deputy caused one hundred soldiers to be drawn out of four several garrisons, on the pretence before mentioned." *Ib.* p. 357. But that having examined the lords and others, concerning that matter, "they did not understand that any of the lords, knights, citizens, or burghesses came to town with any extraordinary number of men or followers, only the Lord Viscount Gormanston came to the city with one hundred horse (as was confessed) whereof there were not twenty of his own retinue; the rest were his friends and kinsmen, that went out of Dublin to meet him, the rather because his lady came in his company; but it is confessed, there were great numbers of people in the town at that time, who, as they said, came from all parts to behold that assembly." *Ib.* p. 38.

And 'tis no wonder their curiosity was so great on that occasion, for there had not been any parliament held in Ireland before that, since the year 1586. *Ware's Annals.*

³ The lords of the pale, in their humble remonstrance to his majesty on this occasion, observe, among other things, "That the managing elections for that parliament, had generally bred so grievous an apprehension, as is not in their power to express, arising from a fearful suspicion, that the project of erecting so many corporations in places that scarcely pass the rank of the poor villages of the poorest country in Christendom, do tend to nought else, but that by the voices of a few, selected for that purpose under the name of burghesses, extreme penal laws should be imposed on his majesty's subjects. That his majesty's subjects of Ireland, in general, did very much distaste and exclaim against the deposing of so many magistrates in the cities and boroughs of that kingdom, for not swearing the oath of supremacy, in spiritual and ecclesiastical causes, they protesting a firm profession of loyalty, and of all kingly jurisdiction in his highness." *Desid. Curios. Hiber.* vol. i. p. 160.

after which the legality of their elections should be duly enquired into. But this motion being soon rejected, and Sir James urged, by the opposite party, to proceed directly in the chusing of a speaker, he named Sir John Everard,^a and was seconded by Sir Christopher Nugent, Mr. William Talbot, and several other respectable members. But Sir Oliver St. John, and Sir Thomas Ridgeway insisting tumultuously, that Sir John Davis was chosen speaker, by a majority of voices; and the other party calling out as loudly, to place Sir John Everard in the chair; great confusion arose among them; so that the number of votes, on either side, could not be determined, until Sir John Davis's friends having followed him to another room, those who remained within agreed to put Sir John Everard in the chair, supposing him to be duly elected, as in truth he was by a real majority of legal voices, notwithstanding the greater number of nominal votes on the other side. But the court members, on their return, finding him there, and conscious of their greater numbers,^b dragged him violently thence, and fixed Sir John Davis in his place.^b They were emboldened to commit this

^a *Anecdota Sacra.* Reeves ubi supra.

^a "A recusant of respectable character, who had been a justice of the king's bench, and on resigning his station, rather than take the oaths, was indulged with a pension." *Lel. Hist. of Ireland*, vol. ii. p. 447.

^b A cotemporary writer, in a tract addressed to Sir Arthur Chichester himself, relates this parliamentary contest in the following manner: "There were," says he, "two elections, viz. those of the recusant sect had chosen Sir John Everard, knight, for the speaker, and therefore in no wise would accept of Sir John Davis, and in this division grew an uncertainty, who had most voices; whereupon Sir John Davis, with all those of the protestancy, went out to be numbered, and before they came in again, those of the recusancy had shut the door, and had set Sir John Everard in the chair of the speaker; but when the protestants saw that they quietly pulled Sir John Everard out of the chair, and held Sir John Davis therein; and thus, with great contention, the second and third days (of the session) were spent;

this outrage, by the presence of a band of soldiers completely armed, with lighted matches in their hands, who were placed, for that purpose, at the entrance into parliament. Alarmed at these proceedings, the catholic members quitted the house, having first openly protested against the authors of such unheard of violence, as invaders of the liberties of their country, and of the rights and privileges of parliament.

Not content with this protestation, these seceding members sent four of the most considerable of their own body into England,¹ with their complaints to the king. These were accompanied from the house of lords, by David Roche, Viscount Fermoy; Christopher Plunkett, Lord Baron of Killeen, afterwards Earl of Fingall; and by the Lord Baron of Delvin, afterwards Earl of Westmeath; together with Sir Patrick Barnwell and four lawyers.^k

But

spent; but the recusants prevailed not therein, for Sir John Davis was maintained in the place. Then did the recusants of both houses of parliament withdraw themselves, and resorted not thither any more, notwithstanding that they were often sent for by the lord deputy." *Desid. Cur. Hibern. vol. i. p. 168.*

¹ After having obtained leave from his majesty, in consequence of an humble address signed by the lords Buttevant, Gormanston, Fermoy, Mountgarret, Killeen, Delvin, Slane, Trimbleston, Donboyne, Lowth, Cahir." See that Address, Appendix.

^k The lords, knights, and gentlemen sent for over by the king, to lay their complaints before him, on this and other occasions, were David Lord Barry, Viscount Buttevant; David Lord Roche, Viscount Fermoy; Christopher, Lord Baron of Slane; Christopher, Lord Baron of Killeen; Lord Baron of Delvin; Robert, Lord Baron of Trimbleston; Sir Walter Butler; Sir Daniel O'Brien; Sir Christopher Nugent; Sir William Bourke; Sir Thomas Bourke; Sir Patrick Barnwall; Sir John Everard; Andrew Barret of Corke, Esq; John Moor of Connaught; Richard Wading of Waterford; James Galway of Limerick; Thomas Lutterell; Patrick Huffle; M'Donogh, the chief of his name. *Desid. Cur. Hibern. vol. i. p. 231.*

Upon their being a long time delayed in England, before their complaints were finally heard, they sent a petition to the king, concerning their long attendance, and great expences and charges

But these noblemen and gentlemen, instead of obtaining redress of the injury complained of, were, in the end, sent back and insulted,¹ with this quaint and evasive

charges in that kingdom, and how that they had not such monies sent them out of Ireland as were promised them to defray their charges, by reason of a proclamation published by the lord deputy, inhibiting such collection of money." *Id. ib. p. 235.* The words of the petition, as to that particular, are, "Your petitioners having so long expected your gracious pleasure and resolution concerning the affairs of their complaints, as their means are altogether spent, and the supply of their wants become hopeless, by means of a proclamation lately published in your majesty's realm of Ireland, straightly inhibiting any collection or voluntary contribution to be levied or sent, to defray their necessary charges, towards the attendance of your princely pleasure, as by the tenor of the said proclamation, extant to be seen, appeareth; which courses enforce your petitioners, beyond all willingness, to importune your royal majesty, to vouchsafe so speedy a dispatch, as the necessity of their wants greatly urgeth." *Id. ib. p. 236.* And because, in former hearings, they had been questioned concerning their opinions of the Pope's deposing power, and other opinions imputed to Roman catholics as articles of their faith; and as Mr. Talbot and Mr. Lutterell, two of their company, had been imprisoned, on a supposition of their maintaining such opinions, they pray further, "that his majesty would be pleased, out of his matchless clemency, to accept their unfeigned protestation of their bounden fidelity and loyalty to his highness, which freely proceedeth from undoubted true hearts, without equivocation or mental reservation, that neither the Pope, nor any other potentate whatsoever, hath authority to put your highness from the crown, deprive you of your kingdoms, or commit so horrible an act as to bereave your majesty of your life, which we ever held, and do hold, most odious to be thought of or spoken: for the defence whereof your petitioners lives, lands and goods shall be always ready, as becometh true subjects; wherein we are assured, your majesty's poor subject, William Talbot, now a prisoner in the tower, will join; the confidence of whose unfeigned thoughts therein moveth us to prostrate ourselves at your majesty's feet, humbly desiring a commiseration of his restraint." *Ib. p. 236.* "There was not," says my author, "any speedy answer made to this petition, by reason his majesty was not then at leisure." *Ib.*

¹ "Two of their agents, Talbot and Lutterell, were committed

evasive answer,⁴ "That as papists, they were but half subjects, and therefore should have but half privileges;" which, by the way, was an indirect confession of the wrong done them. Nay, it appears by a public speech, which his majesty made in council on this occasion, that he would not allow them to be even half subjects; which by a new quirk of royal logic,^m he endeavoured to prove thus: "As men, ye consist of bodies and souls; now your souls, which are the nobler parts, ye devote to the Pope; to me ye submit nothing but your bodies, not yet your bodies entire; for those ye divide between me and the king of Spain; him ye serve with your bodies armed, leaving to me only your naked, usefess, and unarmed bodies."ⁿ

However in the same speech, made in council to these Irish noblemen and gentlemen, the king adds, "Indeed, I hear that there is one thing grievous to the country, that notwithstanding the composition established in the provinces, the governors there do send

⁴ Cox's Hist. of Ireland, vol. ii. p. 25.

ted prisoners, one to the tower and the other to the fleet." *Lel. Hist. of Irel.* vol. ii. p. 451.

"The first was a long time imprisoned in the tower, and fined ten thousand pound." *Defid. Cur. Hibern.* vol. i. p. 321.

^m "John Preston, master of Emanuel College in Cambridge, was first taken notice of by James I. at a public disputation in that university; in which he asserted, that a hound could make a syllogism." The king, who loved logic and hunting, is supposed from that time to have had a particular respect for him." *Graing. Biogh. Hist.* vol. ii. p. 174.

Preston proved his assertion thus: "the hound has the major proposition in his mind, namely, the hare is gone either this or that way; and smells out the minor with his nose, viz. she is not gone that way; and the conclusion follows, ergo, this way with open mouth. Preston borrowed this argument from Montaigne." *Ib.* note.

ⁿ The manner in which he justified to these agents, his having granted a commission for creating the new boroughs, is still more extraordinary. "It was never before heard," says he, "that any good subjects did dispute the king's power in this point. What is it to you, whether I make many or few boroughs?"

send out their purveyors, who take up their achates and other provision up the country. Another thing there is that grieveth the country people, which is, that in the country, where there is half peace and half war, the sheriffs and the soldiers in their passage, do commit many extortions. For these grievances I myself will call the deputy unto me, and set down such orders, as these abuses shall be redressed and clear taken away.”⁵ He besides tells them, “There is another cause why he should be careful of the welfare of the people of Ireland, viz. because the antient kings of Scotland are descended from the kings of Ireland.”⁶

With this curious answer, he remanded them back to Ireland, ordering them at their peril, to attend the business of parliament, which was chiefly that of raising large supplies for his majesty. And, indeed, in that respect, these half-subjects always shewed themselves abundantly more useful, than those he called his whole-subjects; as, on account of their far greater number and opulence, they contributed more than seven-eighths, in all the loans and subsidies that were required by him during his whole reign. And for their chearful concurrence in granting this last supply, we shall presently find his majesty thanking them, with the rest of the Irish commons, in a seemingly gracious and grateful manner.

The catholics, however, on their return to parliament, still insisted on questioning the legality of the aforesaid elections, before any other business was proceeded

⁵ Desid. Cur. Hibern. vol. i. p. 310. ⁶ Id. ib.

roughs? My council may consider the fitness, if I require it; but what if I had created forty noblemen, and four hundred boroughs? The more the merrier, the fewer the better cheer.” Desid. Curios. Hibern. vol. i. p. 220.

In the same speech he tells the Irish agents, “that of fourteen returns for members to parliament, whereof they complained, but two have been proved false.” Ib. p. 304. Whereas, we find by his orders afterwards to the deputy, on this occasion, that of the fourteen returns he allowed thirteen to be false, and annulled them accordingly. See ib. p. 324.

ceeded upon; and they prevailed so far, that an order was then passed, and repeated in the following session, "That the exceptions taken to these elections should be duly examined, at a more convenient opportunity." But we don't find that such opportunity was ever after afforded them. In this parliament, so composed and managed, the act of attainder and outlawry against the noblemen and gentlemen of the six entire counties in Ulster, for the before mentioned pretended conspiracy, was suffered to be passed.

It is well worthy of notice, that this act of the attainder of the earls does not specify any particulars of the conspiracy lately imputed to them; not even their flight, which was the only proof, and that merely presumptive, that was alleged for it. It barely recites,

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7 Commons Journal, vol. i.

o "Whereas sundry exceptions have been propounded at the first assembly of parliament, against several persons supposed to have been mis-elected, &c. It is agreed and consented to by the house, that the said exceptions shall be for the present suspended and forborn, for the better expedition and furtherance of the service (raising the supplies) with caution, that the proceeding to the passing of any bill, or other affair of the House, shall no way be a precedent or conclusion, whereby the benefit or advantage of such like exceptions, may not at any time hereafter be taken and had, so far forth as the law or allowable precedent before this parliament, will warrant or approve." Com. Journ. vol. i. fol. 45-7.

His majesty, however, soon after sent instructions to the deputy, "That the burgesses returned upon the new charters from Tallagh, Lismore, Caterlogh, Clonakilly, Fethard, Augher, Belfast and Charlemont; as also those from Kildare and Cavan, being falsely returned, should forbear to sit in that house, unless they should be again duly elected." And also, "that the burgesses returned from the towns of Clogher, Athlone and Gowran, should forbear to sit in the house of parliament." Desid. Curios. Hib. vol. i. p. 324-5.

Altho' the deputy, in his answer to the complaints of the nobility and gentry of Ireland, on this occasion, had confidently told the king, "that touching the returns of that parliament, he knew not any false or undue return made, and that he did verily think all the returns of protestants would fall out to be legal, without any just exception." Ib. vol. i. p. 269.

in general, as the grounds of that attainder,⁸ "These noblemen's having committed and perpetrated acts of treason against his majesty (which, as we have already seen, they were only suspected or accused of having intended to commit), and their own and ancestors former rebellion against queen Elizabeth," for which, as we have also already seen, they had all received his majesty's free and absolute pardon,⁹ at his accession. It is therefore, no wonder, that while this act was under debate, a committee of the commons was appointed to wait on the lord deputy,¹⁰ "to acquaint him with a scruple that was moved, whether that attainder did look back to treasons committed before the king's time, or only since." But no other answer appears, on the part of the deputy, but the passing of the bill.

C H A P. VIII.

The king thanks the Irish for their supply, but orders the penal laws to be put in force against them.

AFTER the before mentioned supplies had been granted by parliament, his majesty wrote to the deputy (and ordered his letter to be publicly read in the house)

⁸ See Irish Statutes. ⁹ Com. Jour. vol. i. fol. 45, 47.

¹⁰ In one of his majesty's letters of instructions to Sir Arthur Chichester, when first appointed deputy, we find these words: "We think it not amiss, as well for making known that we are careful of that state (Ireland); as also to root out jealousies which have been formerly conceived, that daily advantage should be searched for by the ministers of that realm, to molest and oppress them for old offences, only to serve private ends; a matter so odious to our nature, to whom generally that people have carried themselves as becometh natural and loving subjects, that we would have it one of the first works you should do, to secure them from ever being called in question for any offence done, either before or in the precedent rebellion." Desid. Curios. Hib. vol. i. p. 448.

house) that, "understanding that the bills of subsidies were, upon the first propounding, received and passed, with such universal consent and chearfulness, that there seemed to arise an affectionate emulation between them, who should express most love and forwardness therein unto him; he took that evident demonstration of their dutiful zeal and affection, in such good part, that he commanded him to give them thanks in his name, and to let them know, that he was much better pleased with the free manner of that present of their affections unto him, than if they had given him ten times the value of the money, with unwilling hearts." Upon this occasion, Sir John Everard observed to the house,¹ "that as neither in queen Elizabeth's time, nor in his then majesty's, any subsidies had been so regularly granted, there being no denial, he did, on the knees of his heart, humbly pray in behalf of his country, that the statute of the 2d of queen Elizabeth might be something moderated for a time; which being granted," added he, "if the king were willing to demand two, three or four subsidies, he doubted not of any denial hereafter." And in the same session, the whole house, among other grievances which they had laid before the deputy, again mentioned that statute, and humbly prayed,² "that, in the execution thereof, the clerks of the crown and peace, might not be permitted to take such excessive fees as they did; but that these fees might be altogether forbidden to be taken, or else that the same might be drawn down and moderated, and that by an act of state, to be observed throughout the kingdom." They further prayed,³ "That, whereas the recusant lawyers were debarred from their practice," by special directions from his majesty:⁴

¹ Ib.² Ib.³ Ib.⁴ Ib.

⁵ "In 1614, all the counsellors of law that were in Ireland, who would not take the oath of supremacy, were put from pleading of causes in any of the four courts, or elsewhere to speak for clients. Likewise such as were pensioners, that would not take the said oath, were discharged of their pensions." Desid. Curios. Hibernia, vol. i. p. 320.

⁶ The

majesty : and forasmuch as the commons did find by experience, that the subjects of the realm did suffer no small

" The statute made the 2d of Eliz. laying a penalty of 12d. every Sunday and holiday, for not going to church, is put strictly in execution in many places : but the said money, being a great matter of value over the whole kingdom, is not employed upon the poor according to the statute, but brought into the hands of the clerks of these courts, but how they dispose of it, the parishioners or church-wardens know not." Petition of the Lords and Commons Agents, 1613. *Desid. Curios.* vol. i. p. 249.

Lord Deputy Chichester confesses, " that the justices of assize (1613) for the space of two or three years past, had bound over divers juries to the star-chamber, for their refusing to present recusants upon the testimony of the witnesses, that they come not to church, according to the law. All which jurors have been punished in the star-chamber, by fine and imprisonment." He adds, " It is true that these jurors censured in the star-chamber, had no counsel allowed them." *Ib.* p. 263.

His excuse for this is, " because they were proceeded against *ore tenus* and upon their own confession." *Ib.*

But is it in any degree credible, that men would confess crimes in that cruel and arbitrary court, which were so severely and ignominiously punished as by pillory, loss of ears, brand in the forehead, &c. besides fines and imprisonment ? The remonstrance of the nobility and gentry of Ireland at that period sets forth, " that in the trial of criminal causes, and mens lives (which the law doth much favour), the jurors were ordinarily threatened by his majesty's counsel at law, to be brought into the star-chamber, insomuch that it was great danger for any innocent man, if he was accused upon malice or light ground of suspicion, because the jurors being terrified through fear of imprisonment, loss of ears, and of their goods, might condemn him." *Ib.* p. 244.

So that, " most of these jurors did rather chuse to endure the penalty or loss of issues, than to appear on juries, the course held with them was so strict and severe." *Ib.*

" The star-chamber," says Chichester himself, " is the proper court to punish jurors, that will not find for the king, upon good evidence." See Chichest. Anf. Def. Cur. *ib.* p. 262.

The reason Chichester gives, for not distributing the money collected from catholics, for not going to church on Sundays and holydays, to the poor, as the statute 2d of Eliz. directs, is, " because the poor of the parishes are not fit to receive the same, being recusants, (catholics,) and therefore (adds he) ought to pay the like penalty." *Ib.* p. 275.

small prejudice in their causes, for want of learned counsel, especially at the assizes, that his lordship would be a means to his majesty, that such, and so many of the said lawyers might be restored to their practice, as his lordship in his judgment should think fit, for the dispatch of said causes." To which his lordship answered, "that the lords of the council in England had signified his majesty's pleasure for silencing them, until they had taken the oath (of supremacy); but that he would acquaint their lordships with what the commons had signified; and with their desire." But that no redress followed appears from hence, that in the ensuing session of May 16th, 1615, the same commons humbly addressed the lord deputy to know, "whether his lordship had received any answer touching the practice of the Irish lawyers; and prayed, that they might be, by his lordship's recommendation, again restored unto practice." To which we find no answer returned.

Imprisonments, on account of recusancy, were then so frequent, and grievous, that the commons in this same session, annexed to their long list of grievances, a prayer, "that his lordship would be pleased to release all those, that lay in, upon excommunications;"^b and at the same time acquainted him, "that a great number of the house desired, that he would recommend to his majesty, that some suspension might be had of the statute of the 2d of Elizabeth.

The catholics of Ireland, on account of their greater number and opulence, had contributed more liberally
to

^c Commons Jour. vol. i.

^b "It appears, that at the end of this session, eight Roman catholics, who had been excommunicated by the archbishop of Dublin for recusancy, and imprisoned, were released by the indulgence of parliament (some said by the mediation of bribes) but their joy on that account was short lived, and their release rather an illusion and an aggravation of their punishment; for without any other crime, but perseverance in their religion, the same archbishop soon after excommunicated them a second time; on which they were again sent back to their long and loathsome confinement." *Analect. Sacra. Rives in Analect. p. 34.*

to the above-mentioned, and all other supplies, than all the rest of his majesty's subjects of that kingdom; and the king, instead of redressing their present grievances, did, in a few months after the date of his letter of thanks before-mentioned, not only continue, but increase them; by giving particular instructions to Sir Oliver St. John, then going over deputy, to put the statute of the 2d of Elizabeth, and all other penal statutes, in strict execution; instructions, which Sir Oliver seemed very well inclined to pursue: for, at his entering on the government, he did indeed proceed with vigour, in the execution of that statute; and caused presentments to be made of such as neglected coming to church, in different parts of the kingdom. The effects of this vigour were dismal, and extensive; the treasures of the rich were thereby soon exhausted; and the poor, every where, not being able to pay this tax on their consciences, fled into dens and caverns, from the cruel collectors of it, whither they were sometimes pursued by furious bloodhounds; set on, and followed by a sheriff, and his posse of disbanded soldiers, equally furious and unrelenting.⁶ Mr. Rooth, a cotemporary writer, informs us, that in the poor county of Cavan alone, not less than eight thousand pounds⁷ were levied, in one year, by the means of this tax; ecclesiastical censures, on the same account, were severely executed, in every part of the kingdom. Those who lay under them, when found abroad, were constantly thrown into jails; and

⁶ Carte's *Orm.* vol. i. p. 37.

⁷ *Analec'ta Sacra.*

^c "Sir Oliver St. John seemed to be actuated with peculiar zeal against popery." *Lel. Hist. of Ireland*, vol. i. p. 561.

"A commission was issued by him to seize the liberties and revenues of Waterford, because the magistrates refused the oath of supremacy, which by their charter they had a right to do." *Id. ib.* p. 462.

^d This will not seem strange, when we consider what Lord Deputy Mountjoy says in a letter to Secretary Cecil, viz. "that in the time of Firon's war, that earl did raise upon Ulster, ill-inhabited as it was, with no industry, and for the most part wasted, above four score thousand pounds by the year." *Morrif. ubi supra*, fol. 234.

and great numbers of merchants and artificers, being thus confined at home, and hindered to transact business publicly, and in the way of open commerce, were suddenly reduced to poverty and distress. Even their dead bodies did not escape the cruelty of these censurers; for if they happened to die, while they yet lay under them, they were denied christian burial, and their corpses thrown into holes, dug in the highways, with every mark of ignominy, that could be devised, and inflicted by their cruel and bigotted judges.

C H A P. IX.

Some account of the ecclesiastical courts at that juncture in Ireland.

BISHOP Burnet, in his life of Dr. Bedel, bishop of Kilmore, hath left us a very shocking description of these ecclesiastical courts in Ireland. "They were," says his lordship, "often managed by a chancellor, that bought his place, and so thought he had a right to all the profits he could make out of it. And their whole business seemed to be nothing but oppression, and extortion; the solemnest, and sacredest, of all church censures, which was excommunication, went about in so fordid, and base a manner, that all regard to it, as it was a spiritual censure, was lost; and the effects it had in law, made it be cried out upon, as a most intolerable piece of tyranny. The officers of the court thought they had a sort of right to oppress the natives; and that all was well got, that was wrung from them. Primate Usher himself seemed so sensible of these abuses, that he told Archbishop Laud, "such was then the venality of all things sacred in Ireland, that he was afraid to mention any thing about them;" and that, upon some of the adverse party's having asked him, "where he had heard, or read before, that religion and mens souls were set to sale, after that manner?"

His

¹ Burnet ubi supra.

His grace was obliged to have recourse to a pitiful witticism for an answer, viz. "that there was another place, where both Heaven and God himself, were set to sale." Which whether true or false, (and false it most certainly is) was a tacit confession of the justice of the charge of public corruption against these courts. But we shall presently see, that primate Usher's own court was not a whit less corrupt, in the opinion of the good Bishop Bedel, than those of the other Irish bishops.

These corruptions were so flagrant, and long continued, that even in 1640, the dissenters in Ulster, on whom the episcopal clergy had, as we have seen, conferred many signal favours, made severe animadversions upon them. In their remonstrance to the English parliament of that year, they observed,² "that the commutation of penance (which Burnet calls the worst of simony) which either should not at all be exacted, or if exacted, should be set apart for the poor, and other pious uses, came either to the prelate's kitchen, or the commissary's purse, or to both; and that, though the officers of these courts pretended themselves to be the advancers of virtue, and punishers of vice, yet they usually, without further satisfaction, absolved the most scandalous persons for a sum of money, and often questioned not all at such, from whom they privately beforehand had received such sum."

C H A P. X.

The patience and submission of the natives.

WHILE the nobility and gentry of Ulster were, by the late act of attainder, stripped of their possessions, for crimes that were either never committed, or were formerly pardoned, another design was set on foot, to seize on the estates of the natives in the other provinces, under the

² Pryn's Antipathy to Bishops, part ii. p. 374.

the pretence of a judicial enquiry into defective titles.* This enquiry caused a general alarm through every part of the kingdom ; inasmuch as “ no title of lineal descent,

* Remonstrance from Trim.

* It was rigorously prosecuted by Sir Arthur Chichester, tho' the king in his instructions to him, upon his first appointment to the lieutenancy of Ireland, told him, “ that he had directed a commission to compound with his subjects of that kingdom for defective and imperfect titles ; and that he had resolved, from thenceforth, to grant no more warrants of lands, coming within any title of concealment ; because he hoped that thereby both his people would receive contentment, and his coffers some augmentation, by the composition with the tenants of such lands.” Desid. Curios. Hib. vol. i. p. 455-6.

In these enquiries the utmost violence was done to the jurors (as was before observed) to oblige them to find a title in the king to whatever lands they pitched upon ; thus, in the year 1611, on the seizure of the county of Wexford, when upon a commission to enquire into his majesty's title to that county, “ the jury offered their verdict of *ignoramus* to the king's title, the commissioners refused to accept it, and bound the jury over to appear before them in the exchequer court, where, when five of them still refused to find the title in the king, the commissioners committed them to prison, and they were afterwards censured in the castle chamber for refusing to join with their fellows to find his majesty's title.” Report of the King's Commis. Desid. Curios. vol. i. p. 378.

“ These commissioners were Sir Humphry Winche, knight, who had some time been lord justice of the king's bench in Ireland, Sir Charles Cornwallis, knight, holden to be a very wise and learned gentleman, Sir Roger Wilbraham, knight, who had been the queen's solicitor in Ireland; Thomas Calvert, Esq; one of the clerks of the council in England ; with these four the lord deputy himself (Chichester) was joined in the patent, as chief commissioner. These four commissioners arrived at Dublin upon the 25th of September, 1613.” Desid. Curios. Hibern. vol. i. p. 283.

Those of the Irish agents at London, who, by his majesty's nomination and command, were sent to Ireland, to attend these commissioners with their proofs, were the Lords of Killeen and Dunboyne, Sir Christopher Plunket, Edward Fitzharris, Andrew Barret, and Paul Sherlock.” Id. ib. p. 281.

The commissioners sent about this time from England, by the king, to enquire into the numerous grievances complained of by the Irish agents, set forth in their report to his majesty, “ that
out

descent, or long possession, though for several hundred years, nor even letters patent, could secure the proprietors against the predatory effects of it." But as this business was prosecuted with the greatest violence in the ensuing reign, under Lord Wentworth's government, I shall defer the consideration of it till I come to speak of that period.

One would imagine, that some cause had been given by the Irish, or at least pretended by their enemies, for such continued severity; but nothing of that kind appears to have been the case; for all historians agree, that, except O'Dogherty's short-lived tumult, and the forged plot of the earls, there was not the least commotion in Ireland, during that whole reign: although, had the Irish been disposed to rise, it is certain, that no people could have a more tempting opportunity, or a more plausible pretence, than they then had,² "for King James never kept up a greater force in that kingdom, than one thousand seven hundred and thirty-five foot,

² Carte's *Orm.* vol. i. fol. 45.

out of the particular instances (being many) of oppression, and extortions of the soldiers, provost-marshal, and others, they had selected three score. That in counties, where the composition, in lieu of the cess was paid, the soldiers did extort on his majesty's subjects, by neither paying money, nor giving tickets, for what they took up. That, besides meat and drink, they extorted money from the poor people, where they were cessed; three shillings for every night's lodging for an horse-man, and two for a foot-man, sometimes more. As also certain petty sums for their boys, and attendants, besides victuals; and these soldiers took money, not only for themselves, but likewise for other soldiers absent, which the country called black men, because they were not seen. That, in all these cases, when the people had not money, they took forcibly some of their cattle or household stuff, for pawns, in lieu thereof; that the officers of the army did the same; that sheriffs did suffer their men and bailiffs and followers, to take both money and victuals from the country. And that the reason the people did not complain to the deputy of all these oppressions and extortions; was for fear of being worse used by the soldiers at other times; and because the charges of the complaint would far exceed the damages." See that Report, in *Desid. Curios. Hiber.* vol. ii. p. 365, 4, 2.

foot, and two hundred and twelve horse ; and these in a miserable condition, sometimes three years unpaid ; and not a penny of money in the hands of either of the treasurers, or any to be borrowed from private persons. Yet he was, all this time settling the plantations in different parts of the kingdom, changing the properties of lands, transplanting the old inhabitants, and settling colonies of strangers ; while the old Irish chieftains and petty lords, were discontented at the loss of their antient power, and while there were, in remote parts of the kingdom, numbers of idle young, and active fellows, who being unprovided for a livelihood, and not caring to earn it by the sweat of their brow, were full of complaints, and eager for alterations. In Connaught alone there were seven thousand of these idle fellows booked down by officers, and given in a list to the lord deputy, that were fit for nothing but arms ; and who then living on their friends, and relations, must have been forced to seek, and push their fortunes."

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^b In these plantations, " the commissioners appointed to distribute their lands, scandalously abused their trusts ; and by fraud or violence deprived the natives of those possessions which the king had reserved for them." Del. Hist. vbl. ii. p. 467.

We are told on this occasion, " that there are not wanting proofs of the most iniquitous practices, of hardened cruelty, of vile perjury, and scandalous subornation, employed to despoil the fair and unoffending proprietor of his inheritance. Id. ib. p. 470.

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B O O K III.

C H A P. I.

The State of the Irish under Charles I.

DURING the first two years of king Charles's reign, the catholics of Ireland enjoyed some little tranquillity, for which they were indebted not to the lenity of the Irish government, but to his majesty's goodness alone, "which had limited, from time to time, the Lord Deputy Faulkland and the council of that kingdom, by several instructions, directions, and letters, concerning them." Their gratitude for this forbearance was, indeed, extraordinary; and the generosity of their offer to his majesty, on that account, could scarce be exceeded by any thing, but by that folly and fanaticism, which induced the government to reject it.

In

¹ *Scrinia Sacra.*

^a Lord Deputy Faulkland's "strict, though legal administration, in regard to the papists, whom the court was inclined to favour, raised the loudest clamours against him from that party, who caused him to be dismissed from his viceroyalty with some circumstances of disgrace." Grainger's Biograph. Hist. of England, vol. ii. p. 147.

In the year 1626,² "The condition of the king's affairs was much perplexed in England; he was at war with the two most powerful kings in Europe, and his subjects in the English parliament would afford him little or no assistance but upon hard and dishonourable terms, though they had engaged him in the first war; and seemed glad of the last, it being in defence of religion."

In this perplexity of his majesty's affairs,³ "The Roman catholics of Ireland offered constantly to pay an army of five thousand foot, and five hundred horse, for his majesty's service, provided they might be tolerated in the exercise of their religion.⁴ The toleration they desired was no more, than some respite from the oppressions and extortions of the ecclesiastical courts, and to have all proceedings against them in these courts, for religion, suspended; to be released from those exorbitant sums which they were obliged to pay for their christenings and marriages; and particularly, to have the extravagant surplice-fees of the clergy, and the extraordinary warrants for levying them, abolished."

But the clergy were too much interested in these matters not to oppose, with all their powers, the acceptance of such an offer. Upon the first tender of it,⁵ a protestation was drawn up against it, by primate Usher, and subscribed by twelve bishops; which Dr. Downham, bishop of Derry, pronounced in Christchurch, Dublin, before the state; upon whom it had so powerful an effect, that the catholics offer was scornfully rejected, and their religion scurrilously abused.⁶

"I will not take upon me," says Sir Edward Walker on this occasion, "to determine, whether it be
against

² Sir Edward Walker's Historical Discourses, fol. 337.

³ Id. ib. ⁴ Carte's Orm. vol. i. fol. 50.

⁵ Harris's Fiction Unmasked. Usher's Life.

⁶ "All the protestant clergy," says Dr. Leland on this occasion, "were seriously averse to popery; many to a degree of rancour, imbibed among the English and Scottish puritans." History of Ireland, vol. ii. p. 481.

against the law of God to give a toleration of religion to the papists, nor examine whether bishop Downham's protestation, subscribed by the bishops in Ireland, be agreeable to the doctrine of the church of England; only it must lie as a blot upon those who had the free exercise of religion, with all advantages of honour, safety and profit, as the people of England then had, and yet that so many of them, both in and out of parliament, should be so averse from supplying their king, under whose gracious government they so happily enjoyed their freedom; and, on the contrary, that persons, whose religion is penal to the professors, should, for a toleration, offer constantly to pay an army of five thousand foot, and five hundred horse, for his majesty's service."⁶

These bishops set forth in their protestation, "That to grant a toleration, in respect of money to be given, or a contribution to be made by the catholics, was to set religion to sale, with the souls of the people." And Dr. Downham had no sooner pronounced these words, but all the people in the church cried out aloud, "Amen, Amen."

But how shamefully these bishops themselves had exposed their religion to both sale and contempt, in their ecclesiastical courts (from whose tyranny the catholics were willing to purchase their redemption at so dear a rate), was then notoriously manifest. "In these courts," says bishop Burnet,⁸ "bribes went about almost barefaced; and the exchange they made of penance for money, was the worst sort of simony." The good bishop Bedel told primate Usher himself, the author

⁶ Hist. Discourses, fol. 338.

⁷ Foxes & Firebrands, part ii. p. 80.

⁸ Life of bp. Bedel.

* Mr. Bayle justly observes on this occasion, "that Usher and his suffragans proceeded on the principles of the most extravagant intolerance; that this protestation was not founded on maxims of state, which are the principles that moderate opposers of toleration ground their reasoning upon; but merely and solely upon the religious worship of the church of Rome." Art. USHER.

author and principal promoter of this protestation, that "whereas he was wont to except one of these courts (meaning the primate's) from the general corruption, yet he heard it was said, among great personages, that his grace's court was as corrupt as others; some said, it was worse; and that of his grace's late visitation; they saw no profit but the taking of the money."

Nay it appears, by the journals of the Irish Commons, even in 1640,^d that the judges of these courts were guilty of "barbarous and unjust exactions;"^e and that too, for such rites and customs, as had been formerly in use with the popish natives, but were now condemned and renounced by protestants, viz. money for holy-water clerk; for anointing, mortuary-mutons, mary-gallons, St. Patrick's ridges, soul-money, and the like."^f

Thus while these bishops were simoniacally extorting large sums of money from the catholics, for their own private use (for to that alone they were applied),^g they expected

^a Burnet ib. ^b Commons Journal, vol. i.

^c "The humble remonstrance of the knights, citizens and burgesses of the house of commons assembled in this present parliament (1640):"

^d "To the lord deputy,

^e "THEY humbly represent unto your lordship, that divers complaints have been referred to them by sundry persons, from several parts of this kingdom, of many grievous exactions, pressures and other vexatious proceedings of some of the clergy of this kingdom, and their officers and ministers, against the laity, and especially the poorer sort, to the great impoverishing and general detriment of the whole kingdom; which the said house of commons, after many debates thereof, having taken into serious consideration; it was conceived by the unanimous votes of the house, that all of them were very great and enormous grievances. Some whereof being most exorbitant and barbarous, they were of opinion ought to be quite abolished, being repugnant to law and reason; and the rest to be reformed, &c." Commons Journal, vol. i. fol. 258.

^f "Great sums of money received by several bishops of this kingdom, for commutation of penance; which money, by his majesty's

expected to be considered as taking only their lawful dues : but for the king to accept of the same, or less, from these people, to enable him to carry on the most necessary public service (on condition only of freeing them from such barbarous and unjust extortions) was, in their lordships' opinion, nothing less than "setting religion to sale, with the souls of the people."

C H A P.

majesty's instructions, should be converted to pious uses ; not observed, but made a private profit." Commons Remonstrance. See Commons Journal, vol. i. fol. 261.

"In Connaught and elsewhere, sixpence per annum of every couple (holy-water clerk) ; of every man that dies a *muttue*, by the name of *anointing-money* : from a poor man that has but one cow, they take that for *mortuary* : from one that is better able, his best garment for *mortuary*. If a woman, her best garment for *mortuary* : and a gallon of drink for every brewing, by the name of *marry-gallons* : for every beef that is killed for the funeral of any man, the hide and tallow, and they challenged a quarter besides : four-pence or sixpence per annum from every parishioner, for *soul-money* : a ridge of winter-corn and a ridge of oats for every plow, by the name of *St. Patrick's ridges* : for *portion-cannons*, the tenth part of the goods, after debts paid, &c." Ib. p. 260.

"We are told in the life of primate Usher, that this protestation (of the bishops) had a considerable effect in retarding a project, the success of which was absolutely necessary to the king's affairs," Lel. ubi supra, vol. ii. p. 482, note.

* It has been observed on this occasion, "that on the plantations made in the reign of James, the new colonists had been supplied with teachers principally from Scotland, they formed their churches on the presbyterian model, and many refused to accept episcopal ordination. To quiet such scruples, the bishops, by the approbation of Usher, their learned metropolitan, consented to ordain them to the ministry, without adhering strictly to the established form, and to admit some of their brethren of the Scottish presbytery to a participation of their office. Thus these Scottish teachers enjoyed churches and tythes without using the liturgy. Such men clamoured loudly against the horrid design of selling the truth, and establishing idolatry for a price: their brethren of the other provinces readily united in the clamour." Lel. Hist. vol. ii. p. 481.

C H A P. II.

A free gift raised for the king, chiefly by the natives, for which they were rewarded by a new persecution of their religion.

IN this pressing exigency of his majesty's affairs, a free gift or contribution,^a of one hundred and twenty thousand pounds, was set on foot in Ireland, "of which," says Mr. Carte,^b the catholics paid near two-thirds." And indeed, on that account, they seem to have been well entitled to that respite from legal penalties, which they are said to have then obtained. But this respite, if any they had, must have been very inconsiderable;

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^a Life of Ormond, vol. i.

^a "This was a voluntary offer made by the Irish agents, then in England; the money was to be paid in three years, by way of three subsidies, each amounting to fifty thousand pounds, and each to be divided into equal quarterly payments. The graces which they solicited in consequence of this extraordinary exertion of loyalty, were in some instances favourable to recusants, but such as in general were evidently reasonable and equitable. The bounty was accepted." *Lel. ubi supra*, p. 483.

^b The catholic nobility and gentry afterwards solemnly declared, in their remonstrance of grievances, delivered to his majesty's commissioners at Trim, in March 1642: "That they had readily, and without reluctance or repining, contributed to all the subsidies, loans and other extraordinary grants made to his majesty since the beginning of his reign; and were in parliament and otherwise, most forward in granting said sums; and did bear nine parts in ten, in the payment thereof." *App.*

The truth of this appears from hence, that these subsidies, loans, &c. were rated to each person, in proportion to the value of his real property; and we are well informed, "that before the year 1641, the Irish were the proprietors of ten acres of land, to one that the English had in Ireland." *Col. Laurence Inter. of Ireland*, part ii. p. 47.

Father Walsh says, that they had nineteen in twenty acres. Reply to a Person of Quality.

That

for in the year 1629, a severe persecution was raised against them, which was as unlooked for, as unmerited. The council of Ireland, in their letter to the king, April 28th of that year, confess,² “That except what they call the insolence and excrescence of the popish clergy (which shall be just now explained), the kingdom, as to the civil part of it, was in far better order at that juncture, than ever it was in the memory of man; as well in the general and current execution of justice, according to the laws, in the freedom of men’s persons and estates, and in the universal outward submission of all sorts of settled inhabitants to the crown and laws of England; as also in the advancement of the crown revenues, and in the competent number of bishops and other able and learned bishops of the church of England.” But these bishops, it seems, and other able and learned ministers of the church of England, were not then thought sufficient, without the help of a military force, to reclaim the catholics from the heinous sin of serving God in the way most agreeable to their own consciences.

The cause and manner of this persecution are thus related by Hammon l’Estrange, who was then, or shortly after, in Ireland.³ “In this year,” says he, “the Roman clergy began to rant it, and to exercise their fancies, called religion, so publicly as if they had gained a toleration.” The reader, I imagine, will be surprized to find, that this ranting of the catholic clergy was nothing more, than their reading prayers quietly to their people in one of their own chapels: “For

² *Scrinia Sacra.*

³ See Harris’s *Fiction Unmasked.*

That there was great partiality shewn to certain persons in these collections, appears from hence, that Richard, Earl of Cork, out of his vast estate, “paid towards one yearly contribution (says Lord Wentworth) not a penny more than six shillings and eight pence a quarter.” *State Letters*, vol. i. fol. 148. 407.

^c It has been observed on this occasion, that “the protestant party were zealous in their detestation of popish idolatry (i. e. ceremonies),

“ For (proceeds l'Estrange) whilst the lords justices were at Christ-church in Dublin, on St. Stephen's day, they were celebrating mass in Cook-street ; which their lordships taking notice of, they sent the archbishop of Dublin, the mayor, sheriffs, and recorder of the city, with a file of musketeers, to apprehend them ; which they did, taking away the crucifixes and paraments of the altar ; the soldiers hewing down the image of St. Francis ; the priests and friars were delivered into the hands of the pursuivants, at whom the people threw stones, and rescued them : the lords justices being informed of this, sent a guard and delivered them, and clapped eight popish aldermen by the heels for not assisting their mayor. On this account, fifteen houses, (chapels) by direction of the lords of the council in England, were seized to the king's use, and the priests and friars were so persecuted,^d that two of them (adds my author) hanged themselves in their own defence.”

Few, I believe, will wonder that the populace endeavoured to rescue their priests, in such an exigency ; and fewer yet, that the catholic aldermen of Dublin did not assist their mayor in this priest-catching business. But it is not easy to conceive, what else but a truly puritanical excess of zeal, could have excited an archbishop of Dublin to quit his proper province, the public service of the church, on a solemn festival, to head a file of musketeers, and lead them on thus

I 2

furiously

ceremonies), that the inferiors of their clergy were poor, and sometimes scandalously profligate. And that many of the prelates, as well as officers of state, of English birth, were puritanically affected.” See Leland's History of Ireland, vol. iii. p. 4.

^d This persecution was afterwards extended all over the kingdom. The English council acquainted the justices of Ireland, on that occasion, “ That his majesty in person, was pleased openly, and in most gracious manner, to approve and commend their ability and good service ; whereby they might be sufficiently encouraged to go on, with the like resolution and moderation, till the work was fully done, as well in the city as in other places of the kingdom, leaving to their discretion, when and where to carry a soft or harder hand.” *Scrinia Sacra*.

furiously to demolish a chapel, apprehend a few priests, and terrify a number of harmless people in the midst of their devotions; and that too "in the midst of far better order in civil matters, and more universal subjection to the crown and laws of England, than was ever before known in the memory of man." One can hardly help thinking, that the furious puritan Venner did, some years after, copy the example of this archbishop of Dublin, when issuing from his conventicle in Colman-street, London, with about fifty of his disciples armed, he fancied himself commissioned from heaven to fall upon and kill all those whom he met with in the streets, of a different persuasion from his own.

After what has been hitherto related, who can help wondering at the partiality or ignorance of those historians who confidently tell us,⁴ "that, during all this and the former reign, the catholics of Ireland enjoyed an undisturbed exercise of their religion; and that even Dublin, where the seat of the king's chief governor was, they went as publicly and uninterruptedly to their devotions, as he went to his."

C H A P. III.

The free gift or contribution continued for the service of the government.

THE free gift before-mentioned, having been continued longer, and grown more burdensome than was expected, the people¹ "began to entertain frightful apprehensions, lest it might, in fine, turn to an hereditary charge on their estates." The protestants especially, complained loudly of it; those of Cavan in particular, who signed a petition to the lords justices against it, setting forth,² "That it was plotted and collected without the consent of the protestants of that country,

⁴ Clarendon, &c.

¹ Lord Strafford's State Letters, vol. i. f. 184. ² Id. ib. f. 150.

country, and partly by force, praying their lordships favourably to forbear any further imposition of any such burden upon them, until they represented their humble remonstrance to his majesty."

Richard Earl of Cork, then one of the lords justices,³ "privately set the protestants against this contribution; and several of the bishops joined him in opposing it." His grace of Canterbury told bishop Bedel,⁴ on that occasion,⁴ "that his, and the other bishops behaviour, was not well taken by his majesty." A scheme was, however, formed by them, for levying the whole contribution on the catholics, by putting the statute of the 2d of Elizabeth in strict execution. Accordingly, the lords justices and council informed his majesty,⁵ "That it was impossible to improve that part of the revenue,⁶ save only by imposing the twelven-pence a Sunday on the recusants." This proposal was readily agreed to by the king:⁶ "We approve well," says his majesty in his answer, "that this business, as you desire, may be presently put into such a state as that the money, which shall by that means grow due unto us, may be ready to be levied by Michaelmas next. And as the best and surest way to bring it to effect, we do hereby authorise and require you, forthwith to assemble our council there, and with their privy to cause presentments to be duly made through the whole kingdom, according to the law you mention doth appoint." These presentments were accordingly made, and fines were imposed on such juries as refused to find them.

Lord

³ Lord Strafford's State Letters, vol. i. fol. 76.

⁴ Id. ib. fol. 134. ⁵ Id. ib. vol. ii. fol. 91. ⁶ Id. ib.

^a "Bedel had united with the inhabitants of his diocese, in a petition to the late lords justices, representing the new contribution as irregularly obtained and oppressively levied." *Lel. Hist. of Ireland*, vol. iii. p. 26.

^b "The present lords justices advised, that the recusants should be strictly presented; and the weekly fines imposed for their absence from the established worship, as a means of providing for the army." *Ib.* p. 8.

Lord Wentworth, then appointed deputy, did not, it seems, like this method of raising a supply for the maintenance of the army.⁷ "Not," says he, "but that every good Englishman ought, as well in reason of state-as conscience, to desire the kingdom were well reduced to a conformity in religion; but because it is a great business, that has many roots lying deep and far within the ground, which should be first thoroughly opened before we judge what height it may shoot up to, when it shall feel itself once struck at, to be loosened and pulled up." He was, therefore, for continuing the contribution as it then stood,⁸ "because he thought it more safe, considering the inequality of numbers and the ill provision of the army, to take the contribution against the will of the protestants, than to raise the twelve-pence a Sunday, against the liking of the recusants." But his principal reason for not depending on the execution of this statute, for raising this supply, was the uncertainty of its success or sufficiency; for as he pleasantly observed,⁹ "If it took that good effect for which it was intended, which was to bring the Irish to a conformity in religion, it would come to nothing; and so would prove a covering narrower than a man could wrap himself in."

His lordship soon brought the king over to his opinion in this particular; but was obliged to have recourse to Laud's assistance, to convince the Irish bishops of the impropriety of executing the statute of the 2d of Elizabeth at that juncture.¹⁰ "As for the laying aside," says his grace in his letter to bishop Bedel, "the twelve-pence a Sunday, and not expecting it for the present, his majesty conceives he did it upon all the considerable reasons that could be, and those very well weighed; and therefore, I do heartily pray both you and your brethren, to lay aside all jealousies, and to advance his majesty's service by all the good means you can, for that he would be very sorry to find the carriage of any bishop especially should cast a damp upon his majesty's service."

C H A P.

⁷ Lord Strafford's State Letters, vol. i. fol. 75.

⁸ Ib. fol. 76.

⁹ Ib. fol. 47.

¹⁰ Ib. vol. ii. fol. 91.

C H A P. IV.

Lord Wentworth continues the contribution.

THE established clergy of Ireland, who made religion a pretence for pressing the execution of the before-mentioned statute,¹ “were themselves generally ignorant and unlearned, and loose, and irregular, in their lives and conversations.”² “As scandalous livings,” says Mr. Carte in the same place, “naturally make scandalous ministers, the clergy of the established church, were negligent of their cures, and very careless of observing uniformity and decency in divine worship.”³ Of this particular obstacle to the reformation Lord Wentworth was fully sensible, and mentioned it in several of his letters to the ministry in England.⁴ “An unlearned clergy,” says he in one of them, “who have not so much as the outward form of churchmen to cover themselves withal, nor their persons any way revered, or protected; the churches unbuilt; the parsonage and vicarage-houses utterly ruined; the people untaught through the non-residence of the clergy, occasioned by unlimited shameful numbers of spiritual promotions, with cure of souls, which they hold by commendams; the rites and ceremonies of the church run over, without decency of habit, order, or gravity, in the course of their service; the bishops alienating their very principal houses and demesnes to their children, to strangers, and farming out their jurisdictions to mean and unworthy persons;” so that with respect to their project of propagating religion by enforcing this statute, his lordship justly observed,⁴ “that such brainfick zeal would work a goodly reformation surely, to force conformity

¹ Carte's *Orm.* vol. i. fol. 68. ² *Id.* ib. ³ *State Lett.* vol. i. f. 187.

⁴ *Id.* fol. 172.

⁵ “Ignorance, negligence, and corruption of manners in the established clergy were the consequences of their poverty.” *Lel. Hist. Irel.* ubi supra, p. 26.

formity to a religion, when there was hardly to be found a church to receive, or an able minister to teach the people." Laud^b in answer to this account of the Irish clergy, tells him, "the anatomy, which you make of the Irish ecclesiastical disease, makes it apparent, that it is spread so universally over the body, that a very wise physician can scarce tell where to begin the cure."

The method Lord Wentworth proposed for improving this part of the revenue, in preference to the tax on the consciences of the natives, was first, to continue the contribution for another year; and secondly, to summon a parliament, in order to settle a constant and regular supply for the army. But, in order to make trial of the temper of the catholics, (who had first proposed, and actually paid more than two thirds of the former contribution,) with regard to the continuance of it for a longer term,^c "he sent a private messenger of his own to Ireland, who was himself a catholic, with instructions to invite them to make an offer to his majesty of half a subsidy, to be paid the next year; upon condition, that all further prosecution upon the statute of the 2d of Elizabeth might be respited till his coming over. "The instrument I employed," says he, "knows no other, but that the resolution of the state here is set upon that course, and that I do this privately, in favour and well-wishing to divert the present

^c Straff. ib. fol. 212.

^c Carte's Orm. vol. i. fol. 74.

^b "1633, Ireland.

"Here are divers of the clergy (protestant) whose wives and children are recusants, and there I observe the church goes most lamentably to wreck, and hath suffered extremely under the wicked alienations of this sort of pastors, wherein I could already give many instances." Straff. St. Lett. vol. i. fol. 188.

In 1633, "the church of Ireland had no canons set by public authority at all." Id. ib.

"Keep the bishops from their sacrilegious alienations." Id. ib. fol. 213.

Archbishop Laud, in this year 1634, takes notice, that the church in Ireland was then so poor (by the above alienations) "that six benefices were not able to find the minister cloaths; and that, in six parishes, there were scarce six to come to church." Ib. fol. 254.

present storm, which else would fall heavy upon them all, being framed, and executed by the Earl of Cork ; which makes the man labour in good earnest, taking it to be a cause *pro aris, et focus*.”

The answer, which this artful message produced was, ‘ “ That the catholics were all very willing to continue the contribution to his majesty, as it then was, until his lordship’s coming over ; and, in order to testify their forwardness to comply, they sent his lordship a letter to that effect, from the Earl of Antrim and others.” ’

C H A P. V.

Lord Deputy Wentworth arrives in Ireland.

IN July 1633, Lord Wentworth landed in Dublin.⁷ “ His lordship began his administration in a manner,” says Mr. Carte, “ that was ungracious, and could be hardly expected from a man of his wisdom, and experience, who knew the consequence of the first steps that a governor takes, and the impressions which they leave in the minds of the people. For, four days after his arrival, he summoned the council by a pursuivant, according to the usual manner in that point ; but summoned only a particular number, as if he intended to consult with a committee, rather than the whole body of it. This disobliged all that were omitted in the summons ; and even the few he had called together were offended by a neglect, which they thought unbecoming his lordship to offer, or themselves to bear ; they assembled at two o’clock according to their summons, but the lord deputy, whether out of an affectation of state, or not attending to the hour through a more agreeable cause (for he had a day or two before declared his marriage to Mrs. Elizabeth Rhodes, a young lady of extraordinary merit, whom after a long absence he had met at Dublin), made them wait two hours and more, before he came to them ; and then the business, under

⁷ Id. ib.¹ Id. ib. fol. 57.

under pretence of which they were summoned, was not handled as they expected." It was, perhaps, for this, among other reasons, that at their next meeting in council, his lordship's proposal for continuing the contribution for another year was far from being agreeably received; so far indeed, that he said,² "he was put to his last refuge on that occasion, which was to tell them plainly, that there was no necessity, which induced him to take them to council in that business; for that rather than fail in so necessary a duty³ to his master, he would undertake, upon the peril of his head, to make the king's army able to subsist and provide for themselves amongst them, without their help."³ The army, at this time, took up victuals in its marches, and paid nothing, as if it had been in an enemy's country, and therefore was held in abomination by the inhabitants.^c Having by this commination, somewhat softened their opposition, he further advised,⁴ "that the
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² Carte's *Orm.* vol. i. fol. 98.

³ *Id.* *ib.*

⁴ *Id.* *ib.*

^a There was not among all the English commons a more violent opposer of the extension of the king's prerogative, or a more strenuous assertor of the people's liberties, than he was while he remained plain Sir Thomas Wentworth. But being brought over to the court in 1629, he was sworn a privy counsellor, and made a baron, and soon after a viscount. "The Duke of Buckingham himself," says Mr. Howel, "flew not so high in so short a revolution of time. He was made viscount with a great deal of high ceremony, upon a Sunday in the afternoon, at Whitehall. Lord Powis, who affected him not much, being told that the heralds had fetched his pedigree from the blood royal, viz. from John of Gaunt, swore that if ever he came to be king of England, he would turn rebel." *Letters*, p. 211.

^b Much the same, he tells Archbishop Laud, with respect to the lawyers. "I know no reason," says he, "but you may as well rule the common lawyers in England, as I, poor beagle do here; and yet that I do, and will do, in all that concerns my master's service, upon the peril of my head." *State Lett.* vol. i. fol. 173. Speaking of Prynne.

^c Wentworth confesses, that before 1636, "the duties had from the Irish were rather, indeed, violent takings, ravishments of the poor, than the modest, quiet levies of a pious, and christian king." *Id.* *ib.* fol. 19.

the proposition of the next year's contribution might come from the protestants, as it had done that year, from the papists; and so those, no more in shew, than substance, to go before these, in their chearfulness and readines to serve his majesty."

His lordship's second proposal, of calling a parliament, to settle a constant and regular supply for the maintenance of the army, was so very differently received, that upon the bare mention of it, they readily came into his first proposal: "they were so horribly afraid," says he, "that the contribution-money would be set, as an annual charge upon their inheritances, as they would redeem it at any rate; so as, upon the name of a parliament, it was something strange to see, how instantly they gave consent to this proposition, with all the chearfulness possible, and agreed to have a letter drawn up, making an offer of the next year's contribution, under their hands." "The next labour (adds his lordship) must be to get through the whole kingdom, the hands of the popish party to the like offer, which I assure myself to have within a few weeks." ⁶

C H A P. VI.

Lord Wentworth's manner of modelling the Irish parliament.

LORD Wentworth was not, in the least degree scrupulous as to the legal qualifications of such persons as he intended should constitute this new house of commons; nor indeed did he willingly suffer any to be returned members, whom he did not believe to be some way or other subservient to his predatory designs. ^a
 "I shall

⁵ Id. ib.

⁶ Ib. fol. 99.

^a "I have this day," says he, in a letter to Secretary Coke, "sent out the writs of summons, and with them above an hundred letters in recommendation of such as, upon advice taken with this

"I shall labour,"^a says he, "to make as many captains, and officers burgessees, in this parliament, as I possibly can; who having immediate dependence on the crown, may almost sway the business between the two parties,^b which way they please." One particular instance of his lordship's management in these elections, I shall relate in his own words, because, indeed, it is in itself so extraordinary, that it would hardly gain belief, were it related in the words of any other person.

His lordship had resolved to make Mr. Cateline, who was recorder of Dublin, one of the representatives of that city; but it appears that Cateline's competitor, being either a catholic, or strenuously supported by that interest, was likely to carry the election from him. For the catholics were generally apprehensive, that some severe laws against the exercise of their religion were intended to be passed that session, and therefore, were probably

^a Cart. ib.

this council, were held persons ablest and best set for his majesty's service, having both in that and all the rest used the utmost of my power and diligence to get the house to be composed of quiet and governable men." Straff. St. Lett. vol. i. fol. 259.

^b The protestants and recusants. Wentworth's object was a constant and regular supply for the payment of the army. The recusants were not averse to the raising it by a general tax; but the protestants would have levied it entirely and solely on the recusants, by putting the statute of the 2d of Elizabeth in strict execution. His lordship's method of managing both parties on that occasion is set forth by himself in the following proposal, viz. That the lower house should be so composed, that neither the recusants, nor yet the protestants should appear considerably one more than the other: holding them as much as might be (says he) in an equal balance, as being thus easier to govern. And then, in private discourse, to shew the recusants, that the late contribution ending in December, if his majesty's army was not supplied some other way, the twelve pence per Sunday must of necessity be exacted upon them; and on the other hand, to shew the protestants that his majesty's army must not let go the twenty thousand pounds contribution, nor yet, that he would discontent the recusants in matter of religion, till the army were else certainly provided for." State Lett. vol. i.

probably very active in this business of elections,^c in the different parts of the kingdom.^d This activity of theirs

^c "Albeit," says Lord Wentworth, "the popish party are infinitely solicitous that no protestants should be chosen where they can possibly hinder it; yet I am very confident, they will be very forward for the king's supply, so as the matter of religion be not stirred against them." *Ib.* vol. i. fol. 267.

^d This apprehension was increased by Lord Wentworth's refusing to call together and consult with the lords of the pale on the state and exigencies of the nation before the meeting of parliament, as till then had been always the deputy's custom. Wentworth himself relates his own indecent manner of treating the Earl of Fingal, deputed by the other lords of the pale to wait upon him with that request. "My lord chancellor moving, that the lords of the pale, according to the custom of former times, might be conferred withal, concerning the parliament and matters therein to be propounded; I presently silenced it by a direct and round answer; and within four days after, the Earl of Fingal came purposely to me in this chamber, where he told me the report went, there would be a parliament, and that their lordships of the pale had been accustomed to be consulted with before those meetings, to assemble and take advice together, what to propound for the good of the people, and therefore desired to be ascertained therein, that they might prepare themselves accordingly. This nobleman (as I conceive) being a person, not of the best affections that would be esteemed to be the advocate of the public; and which was as observable as any of the rest, coming, as it were, the mouth to open for them all, I thought fit to close it as soon and surely as I could; therefore my answer was quick. I told him, that assuredly, his majesty would reject with scorn, all such foreign instructors; that the king's own councils were sufficient to govern his own affairs and people, without borrowing from any private man whatsoever. I perceived his lordship a little out of countenance, and hastening from the tenet, telling me, it was only to put me in mind of what had formerly been the custom, and that the Lord of Faulkland had called their lordships of the pale in like case. My answer was, that Lord Faulkland should be no rule in this for me." Wentworth adds in the same letter to Secretary Coke (as if he was diffident how this discourse and treatment would be taken by the king), "if I may from you gather it was too much, I will put some water in my wine, and express it more mildly to his majesty's contentment, as well in the manner as the matter." *Straff. St. Lett.* vol. i. 246.

This appears from Wentworth's speech to this parliament; wherein,

theirs was foundation enough for Wentworth to pretend in excuse of his own violent interposition in this election for Dublin,² "that the sheriff of that city had carried himself mutinously;" but in what respect he does not mention, otherwise than by a bare suspicion of his own, "that he was set on by priests and friars" to suffer no protestant to be returned to parliament." On this suspicion, however, he brought him³ into the castle chamber,⁴ upon an *Ore tenus*; where upon what he had set down under his hand, he fined him in two hundred pounds, and five hundred pounds more, for his contempt in refusing to set his hand to another part of his examination, disabling him from ever bearing that office in the city: "Which," adds his lordship, "wrought so good an effect, as giving order presently for chusing a new sheriff, and going on the next day with the election again, the voices were all orderly taken; and the conformable proving the greatest number, Cateline and Alderman Barry, a protestant, were chosen." There were at this time more than an hundred Roman catholics to one protestant in Ireland,⁴ and Roman

² Carte's Orm. vol. i. fol. 270. ³ Ib. ⁴ Ib.

wherein, in order to remove all such apprehensions, he tells them, "that meeting was merely civil, religion not at all concerned one way or other. In this," he adds, "I have endeavoured to give you satisfaction, both privately and publicly. And now I assure you again, there is nothing of religion to be stirred in this parliament." Id. ib. fol. 289.

* Earl of Strafford to the Earl of Newcastle, April 17th 1635: "I understand the Jesuits and friars are much incensed against me in my own particular, as fearing they may come to be remembered for all their practices, in this parliament." State Letters, vol. i. fol. 412.

"Ever M'Mahon (a Romish ecclesiastic) so early as the year 1634, gave information to Lord Strafford of a general insurrection intended in Ireland, to be assisted from abroad." Lel. Hist. vol. iii. p. 91.

And yet, "it does not appear by Lord Macguire's narration, that any of the Romish clergy were present (in 1641) at the meeting of the conspirators, except Ever M'Mahon." Ib.

[†] A tyrannical court then held by the deputy of Ireland, similar to that of the star-chamber in England.

Roman catholics were then equally with protestants qualified to vote at elections.

The deputy had also resolved, to make this Cateline speaker of the house of commons,⁵ “ And, as I understood,” says he, “ there was a muttering among them of rejecting him, and chusing some other for themselves, I called the lord chancellor to me, and directed him to require them forthwith to assemble themselves in their house, and to chuse their speaker, who was to be presented to me by nine o’clock the next morning; telling them it was not worth their contention, and that it would be taken as an ill presage of some waywardness or forwardness of mind, if they should go about to deny such for their speaker, as should be recommended by his majesty’s privy council; or to struggle in a business, wherein the conclusion must be according to his majesty’s good will and pleasure, whether they will or no. So they departed (adds he), and before dinner, without any noise or opposition at all, they chose the recorder for their speaker.”

His lordship, however, understanding what ‘ dangerous broils and tumults had happened in the house of commons in 1614, under Sir Arthur Chichester’s government, upon the like occasion of forcing a speaker upon them, did, after Sir Arthur’s example, issue a proclamation, “ that neither the peers nor commoners should come into parliament with swords.” Concerning this proclamation, I shall relate a passage of a young nobleman, of whom I shall hereafter have occasion to make frequent mention. “ Pursuant to orders, the usher of the black rod was planted at the door of the house of lords, to take the swords of the peers; and as the Earl of Ormond was coming in, he demanded his, but was refused. That officer hereupon shewed the proclamation, and repeated his demand in a rough manner. The earl told him, that if he must have his sword, he should have it in his guts; and so marched on to his seat, and was the only peer who sat that day with a sword in the house. Upon the earl’s being sent for

⁵ Ib. fol. 277.

⁶ Ib. fol. 64.

for by the deputy that very night, to appear before the council, and answer for his disobedience to the proclamation, he owned he had seen it, and added, "that he disobeyed both that and his lordship's order, out of deference to an higher authority; and then produced the king's writ, which summoned him to come to parliament, *cum gladio cinctus*. This altercation was the beginning and cause of that great friendship, which subsisted between these two noblemen during Lord Wentworth's life."

C H A P. VII.

Some transactions of this parliament.

ON the 16th of July 1634, this parliament met in the castle of Dublin: "Undoubtedly," says Wentworth, "with the greatest civility and splendor Ireland ever saw; there having appeared a very gallant nobility and gentry, far above that I expected; and all this accompanied with singular cheerfulness towards his majesty's affairs."

His lordship in his speech, acquainted them,² "that his majesty expected an hundred thousand pounds debt to

¹ Straff. State Lett. vol. i. fol. 274.

² Ib.

² After the then customary procession from thence to St. Patrick's church to hear divine service, and a sermon on that occasion, Wentworth observed, "that Lord Fitzwilliams having sent to him, to desire that he might carry the sword to the church (a courtesy, adds he, I should refuse no person of his quality, never dreaming that a recusant could be so vain as to affect it); before me into the church he went; and if you had seen him, how he made a single forward, and ran a double backward again; it would make you smile. This is the naked truth; I was sorry when I understood him to be of that religion, and shall, craving his majesty's pardon for my error, not fall into the like again." State Letters, vol. i. fol. 201.

His lordship was told in answer to this point, "that he had good reason to suffer that lord, at his own request, to bear the sword; wherein if he did any thing maliciously, in contempt or disgrace of religion, or the deputy's authority, he was to be convicted and punished as he deserved." Ib. fol. 202.

to be discharged, and twenty thousand pounds a year constant and standing revenue, to be set apart for payment of the army." He likewise told them, " that his majesty intended to have two sessions of that parliament, the one for himself, the other for them; so as if they, without conditions, supplied the king in this, they might be sure his majesty would go along with them in the next meeting, through all the expressions of a gracious and good king."

Lord Wentworth knew,³ that in the year 1628, the king had given the Irish his solemn promise, for a^b valuable consideration, that he would, in their next parliament, (which was that now assembled) remove several grievances that had been humbly remonstrated to him, particularly, the enquiry into defective titles; but he was sensible, at the same time, that this solemn promise would not be kept; nay, he had himself actually persuaded the king not to keep it. It was, therefore, with reason apprehended, by both his majesty and his lordship, that the commons would insist on the performance of that promise, before they granted the supplies in question; on which account, it was thought advisable to make two sessions of that parliament, and to give them the king's promise for both. At all events, it seems to have been resolved upon, in case the commons insisted on the previous performance of the king's promise, to dissolve the parliament, and raise the supplies in an arbitrary way. Under this apprehension, his majesty told the deputy,⁴ " that it would not be worse for him, though that parliament's obstinacy should make him break with them; for I

VOL. I. K fear,"

³ Carte's Orm. vol. i. fol. 61. ⁴ Id. ib. fol. 233.

^b " A free gift of one hundred and twenty thousand pounds; of which they had paid in 1631, one hundred and six thousand two hundred and four score pounds sixteen shillings and two pence farthing. This money had been given to his majesty, on account of the above-mentioned promise." See Straff. State Lett. vol. i. fol. 68.

fear," adds he, "they have some grounds to demand more than it is fit for me to give."^c

The deputy, however, took uncommon pains to persuade them, that in case of their free and unconditional grant of the supplies, the king would certainly confirm the promised graces;^d and in order to banish from their minds all diffidence in that respect,^e "Surely," said he, "so great a meanness cannot enter your hearts, as once to suspect his majesty's gracious regards of you, and performance with you, where you affie yourselves upon his grace." And yet his lordship had not only advised his majesty, as I have already observed, to break his solemn promise to these people; but also, in order more effectually to persuade him to do so, had even engaged to take upon himself all

^b Strafford's State Letters, vol. i. fol. 223.

^c The principal of the promised graces, and which they chiefly insisted upon, was "that of limiting the title of the crown to sixty years, by which alone, says Mr. Carte, his majesty would lose twenty thousand pounds a year." Ormond, vol. i. fol. 61.

^d But with how little sincerity, appears from his letter to secretary Coke on that subject: "Let me," says he, "tell you in your ear, howbeit we set a fair stile on these laws, as beneficial to the commonwealth, yet there are of them, which I dare confidently affirm, will be worth the king at least four thousand pounds a year in the court of wards and alienations, a point which my masters in the house dream not of." State Letters, vol. i. fol. 305.

These laws were the statutes of wills and uses, which he afterwards, with much difficulty and in breach of his public promise, "that religion should not be touched upon," got passed in his packed parliament. "And by which, (as he afterwards boasted) his majesty had gained an unavoidable power in the education of the heirs of all the great families in the kingdom, as they fell; and so means to bring them up in our religion; a superintendency (adds he) of vast consequence, if rightly applied, as in part appears in the person of the Earl of Ormond." *Ib.* vol. ii. fol. 8. The abolition of this court was one of the principal graces which the king had solemnly promised to these people in 1628, for the valuable consideration hereafter mentioned.

all the danger and infamy that was likely to arise from it. For which wonderful piece of service, his majesty, soon after, thanked him, in a letter written with his own hand.*

But lest these artful insinuations should not prevail with the commons, he thought proper to enforce his demands by some high expressions, tending to frighten them into a speedy compliance.⁶ "Let me not," said he, "prove a Cassandra amongst you, to speak truth, and not to be believed. However, speak truth I will, were I to become your enemy for it; remember therefore, that I tell you, you may either mar or make this parliament. If you proceed with respect, without laying clogs or conditions on the king, as wise men and good subjects ought to do, you shall infallibly set up this parliament eminent to posterity, as the very basis and foundation of the greatest happiness and prosperity that ever befell this nation. But, if you meet a great king with narrow circumscribed hearts, if you will needs be wise and cautious above the moon, remember again that I tell you, you shall never be able to cast your mists before the eyes of so discerning a king; you shall be found out, your sons shall wish they had been the children of more believing parents; and in a time when you look not for it, when it will be too late for you to help, the sad repentance of an unadvised breach shall be yours; lasting honour shall be my master's."

K 2

C H A P.

* Ib.

* "WENTWORTH,

"Before I answer any of your particular letters to me, I must tell you, that your last public dispatch has given me a great deal of contentment; and especially for the keeping off the envy of a necessary negative from me of those unreasonable graces that people expected from me." *Straff. State Let. vol. i. fol. 331.*

C H A P. VIII.

The legality of several elections questioned, but the motion over-ruled.

THE very next day after Lord Wentworth had delivered this speech to parliament (which, it seems, he did with so much haughty vehemence,¹ "that he was faint at the present, and the worse for it two or three days after,") the recusants began to call for² "the purging of the house;" an operation, which we may well presume, it then stood in great need of. But that motion was, with some difficulty, over-ruled. This interruption his lordship had not foreseen; and therefore ordered, that on the following day, the supplies should be instantly moved for,³ "Not to be diverted," says he, "by any other proposition; not even by moving, that it should rest till the house had taken this purgative physic, which they so hotly called for."

The supplies were accordingly moved for on the following day, and six entire subsidies were unanimously voted to his majesty, payable in four years.^b

These

¹ Strafford's State Letters, vol. i. fol. 273.

² Ib.

³ Ib. fol. 278.

^a "For this way," says he, "I was assured, they should have sounds at least; and the success was answerable. For had it been low and modestly delivered, I might, perchance, have gotten from them: It was pretty well; whereas this way, filling one of their senses with noise, and amusing the rest with earnestness and vehemence: It was the best spoken they ever heard in their lives." State Letters, vol. i. fol. 331.

^b "In this house (says Wentworth) the parties were in a manner equal; some few odds on the protestant party; and one watching the other lest their fellow should rob them, and apply the whole grace of his majesty's thanks to himself from the others; an emulation so well fomented underhand, that when the motion for the king's supply was made yesterday in the house of commons, being the fifth day of the session, they did with one voice assent to the giving of six subsidies, to be paid in four years." Ib. fol. 274.

These supplies were very considerable ;^c and far exceeded his lordship's expectation.^d "The proportion he was guided by, was to rate every thousand pounds per annum, with forty pounds payment to the king, each subsidy ; so that," says he, "the subsidies raised this first, were more than I proposed to be had in both sessions, and were given freely and without any contradiction."

His lordship's observation on the catholics calling so hotly for "the purging of the house,"^d is worthy of

^d Id. ib.

^c Each of these subsidies amounted to fifty thousand pounds ; "and he never propounded more to the king than thirty thousand." Ib. fol. 273.

^d But not without another attempt by the recusants for purging the house : "for," says Wentworth himself, "just as I foresaw, the popish party moved a stay, till the house were purged forsooth ; they put it roundly to the question, and carried it by twenty-eight voices. Instantly the house turned into a committee ; that side, fearing to lose their part of the honour and thanks (for the supplies), came round with all the cheerfulness possible ; and the other surprized, and no time left to recollect themselves, they all, with one voice, concluded the gift of six subsidies as was desired, before twelve o'clock." Ib. fol. 278.

An altercation which happened on this motion for purging the house, between Sir John Dungan, Bart. and one Captain Price, a creature of the deputy's, may give us some idea of the tyrannical disposition of that government. The captain having made some indecent reflections on that motion, in the hearing of Sir John, who sat so near him that he could not help overhearing him ; the knight, it seems, resented them so warmly, that the captain imagined he had given him the lie : but instead of demanding what is called private satisfaction for the affront, as military men are but too apt to do, this gallant officer lodged a public complaint against the knight in the castle-chamber (the star-chamber of Ireland). The sentence pronounced against Sir John Dungan in that court was, that he should beg Captain Price's pardon publicly on his knees, both in the council-chamber and house of commons ; and afterwards enter into bonds with the clerk of the council, in the sum of five hundred pounds English, to his majesty's use, with condition to render his person to the constable of the castle four days before the next session of

of some notice. "This warm motion^s for purging the house," says he, "doubtless with an aim of putting out a great company of protestants, upon the point of non-residency, came not, as I was well assured, from any backwardness to supply the king; but out of an hope, by this means putting out many of the other party, to become the greater number, and so endear themselves the more with his majesty, to make that work (granting the subsidies) wholly their own, and themselves more considerable; which would turn a greater obligation on the king, than I conceive his majesty would be willing they should put upon him, or indeed was fit, the present condition of affairs considered." By this condition of affairs is plainly to be understood, his majesty's and the viceroy's preconcerted design, to carry on the enquiry into defective titles, notwithstanding the royal promise to the contrary; for which iniquitous purpose, these unqualified members were still retained and protected, to the great prejudice of the real representatives of the people, and at the expence of his majesty's justice and honour.

C H A P.

^s Strafford's State Letters, vol. i. fol. 278.

of this parliament (of which he was a member), there to remain in the condition of a prisoner, during the pleasure of the lord deputy: and (what the knight, perhaps, deemed the severest part of the punishment) to declare in the same public and submissive manner, that Captain Price was a person of truth, and a speaker of truth, and that he held him to be a valiant gentleman, every way worthy of the command he held in his majesty's army." Journals of the Irish Com. vol. i. fol. 122.

The reasons assigned by the deputy and council for this severity, are too curious to be omitted. "Upon consideration (say they) of the whole matter, it is conceived at this board, that it was not a mannerly or civil part in the said Sir John Dungan to lend his ear to overhear any other man, himself not being spoken to; and in that place (house of commons) not only unmannerly and uncivil, but deserving punishment; wherein it is conceived he committed a terrible offence; first, against the king; secondly, against the house of commons; and thirdly, against the person of Captain Price. It is therefore ordered, &c." *Ib.*

C H A P. IX.

The remonstrance of the Irish commons to the deputy, concerning the promised graces.

THE commons, relying on the merit of these unconditional supplies, cheerfully and unanimously granted, appointed a committee to draw up a remonstrance to the lord deputy, concerning his majesty's promise; particularly, in relation to the enquiry into defective titles. In that remonstrance they set forth,¹ "That sensibly apprehending the manifold inconveniences that had befallen the kingdom, through the uncertainty of estates, occasioned by the embezzling, burning and defacing of records, in times loose and uncertain, troubled with continual war, until the beginning of his late majesty's happy reign; and increased by the negligence

¹ Ib.

"The peers also complained loudly of public grievances; pressed for the confirmation of the royal graces; were particularly urgent for establishing the article, which confined the king's claim on their lands to a retrospect of sixty years; and frequently mentioned the royal promise, in a manner highly offensive to an administration resolved that it should not be fulfilled." *Lel. Hist. of Ireland*, vol. iii. p. 20.

"Both houses pressed extremely for the graces (says Wentworth) especially for the law in England of threescore years possession to conclude his majesty's title, urging his majesty's promise at every turn." *State Let.* vol. i. fol. 279. The reason, he tells us, why the lords did not join with the commons in this remonstrance was, "a trivial difference then subsisting between the two houses, which kept them asunder all that session; the commons not consenting to confer with the lords, unless they might sit and be covered as well as their lordships, which the lords would by no means admit." Ib. He adds, "that by keeping both houses thus at a distance, he did avoid their joining in a petition for the graces, which (says he) they infallibly would have done." Ib.

negligence or ignorance of fundry persons heretofore employed in passing of patents and estates from the crown; whereby many errors in law crept into these grants, whereof divers indigent persons, with eagle-eyes piercing thereinto, commonly took advantage, to the utter overthrow of many noble and deserving persons, who for valuable considerations of service to the crown, or for money, or for both, honourably and fairly acquired their estates. That, therefore, finding in themselves a sensible feeling of these and other grievances, they had received unspeakable pleasure from his majesty's princely care and tender affection towards them, expressed in the graces transmitted over by their last agents, and on his royal word, the best of assurances, and his princely signature, which he had been graciously pleased to pass unto them, to cause the said graces to be enacted in the next ensuing parliament; that they could not sufficiently discharge their duty to his majesty, or the trust reposed in them by their country, unless they were careful in these great affairs, to conserve the honour of his majesty's word, in that respect, passed unto them his people, who had heretofore, by their said agents, presented a free gift of one hundred and twenty thousand pounds to his majesty, and one hundred and fifty thousand pounds loan-money or contribution, by them forgiven; and forty thousand pounds in these two last years, contributed by the country, amounting in the total to three hundred and ten thousand pounds, exceeding in proportion their abilities, and the precedents of past ages, &c. Wherefore, they most humbly prayed, that his lordship would place the statute 21st Jacobi, entitled an act for the general quiet of the subject against concealments, in the first transmission of laws into England; the said grace being particularly promised by his majesty, approved by both the councils of estate in England and Ireland, and published in all the counties of Ireland at the general assizes; and most expected of all the other graces. And that he would please to certify their universal consent, and much longing desire, to have the said statute of 21st Jacobi,

Jacobi,^b and the rest of the said graces, perpetuated by acts to be passed in that parliament." This remonstrance was presented to his lordship by Sir George Ratcliffe, knight, master of the rolls; Sir James Ware, knight; Mr. Serjeant Barry; and eight other respectable members.

"The improvement of the king's revenue,^a was the colour made use of by certain projectors, to obtain commissions of enquiry into defective titles; the great benefit of which was generally to accrue to these projectors or discoverers, whilst the king was content with an inconsiderable proportion of land,^c or a small advance of the reserved rent."^d One instance of rapacity and corruption in these commissioners,^e Mr. Carte has selected out of many others, which contains in it such a scene of iniquity and cruelty, that considering it in all its circumstances, it is scarce to be paralleled in the history of any other age or country. The instance I mean, is that of the Byrnes, in the county of Wicklow,

^a Carte's Ormond, vol. i. fol. 27. ^b Ib.

^b The 24th instruction (among others sent by his majesty) relative to this particular grace, runs thus: "for the better settling of our subjects estates in that kingdom, we are pleased that the like act of grace shall pass in the next parliament there, (Ireland) touching the limitation of our title not to exceed three-score years, as did pass here (England) 21st Jacobi; wherein are to be excepted the lands whereunto we are entitled by office already taken, and those already disposed of by our directions. And we are further graciously pleased, for a more ample testimony of our goodness to our subjects of that kingdom, to direct hereby that from henceforth no advantage be taken for any title accruing to us threescore years past and above, &c." Straff. State Let. vol. i. fol. 320.

^c "The yearly rent reserved to the king, (in the plantation of Wexford) was five pounds for every thousand acres granted the English; and six pounds six shillings and eight-pence, for every thousand acres granted to the natives." Desid. Curios. Hibern. vol. ii. p. 390-1.

^d "The commissioners appointed to distribute these lands, scandalously abused their trusts; and by fraud or violence, deprived the natives of those possessions which the king had reserved for them." Lel. Hist. Irel. vol. ii. p. 467.

Wicklow, who were robbed of large estates, by Sir William Parsons and his fellow-commissioners, on pretence of this enquiry into defective titles. These state-harpies made use of every means of force and fraud to accomplish their designs; having even tortured some witnesses, to make them swear for their purposes; and by promises of pardon and other corrupt methods, procured thieves, traitors, and other convict criminals, to give false testimony for the same end; all which, these wretches afterwards publicly confessed at their deaths.*

C H A P. X.

The commons require an answer to their remonstrance.

ON the 4th of November, 1634, commenced the second session of this parliament;¹ and on the 12th an order was passed, "that Mr. Speaker and the whole house should attend the lord deputy, humbly to desire his lordship's answer to the petition of remonstrance, formerly presented to his lordship, either in writing or otherwise, as his lordship should think fit."

The return made by the deputy, on that occasion, was by no means suitable to so respectful an application. He had already resolved² to "give them an answer, round and clear, and as such would stifle all replications." He, therefore, called some of them before him, and told them plainly,³ "That he would not transmit to England the statute 21st Jacobi; that such refusal was his own, their request never having been so much as sent over by him;⁴ that passing this act

* See Carte's Ormond, vol. i.

¹ Straff. State Letters, vol. i.

² Ib. fol. 338.

³ Ib.

⁴ This appears to be a falsehood, for in a letter to secretary Coke of the 6th of October 1634, he tells him, "that he sends the petition of the lower house" relative to these graces. And adds,

act to prevent enquiry into defective titles, was not good and expedient for the kingdom at that time; and so they were to rest satisfied, without stirring any more, as to that particular, as a thing which could not, nor would not be departed from." For the clearing of the king's honour, so essentially concerned in this contest, his lordship had, with some difficulty, brought over the council^b to represent to his majesty,⁴ "That he was not bound, either in conscience, justice, or honour, to perform the solemn promise he had made to these people, for the valuable consideration before-mentioned."

When, on the 27th of November, his lordship's answer to their remonstrance was reported to the commons, the catholic members, who were principally, if not solely, aggrieved by the enquiry into defective titles, "were so ill to please,"⁵ says Wentworth himself, "that they lost all temper, and broke forth into such forward fullness, as was strange; rejecting, hand over head, every other bill that was offered them from his majesty and the state."

The bills here alluded to, were the two statutes of uses and wills;⁶ "by which," says Mr. Carte, "the Roman catholics imagined, and not without reason,^c that their religion would in time be affected, and by the due execution thereof, be at last utterly extinguished,

⁴ Ib. fol. 338.

⁵ Ib.

⁶ Carte's Orm. vol. i.

adds, "that the ground of denying all may be set upon him and the council; and so his majesty preserved from all colour of declining in any part of that which they expected." State Let. vol. i. fol. 304.

^b "Sure I am (says he) I gained this point from them (the council) with some art and difficulty; and flatter myself therein to have done his majesty good service." Id. ib.

^c "These laws could not be agreeable to the recusants, because they empowered the king to have minors educated from their early years in the communion of the established church." Lel. Hist. of Irel. vol. iii. p. 24.

And because Strafford had promised, in his speech to that parliament, "that religion should not be touched upon." State Let. vol. i. p. 305.

ed, by their putting it in his majesty's power, to have the minors of the chief families of the kingdom, educated in the communion of the church of England. These bills were, however, at length passed in that session ;⁷ and the catholics ever afterwards considered them as heavy grievances, and had an eye to them, in all the complaints which they exhibited upon occasion, against the court of wards."

C H A P. XI.

A convocation of the clergy of Ireland.

BUT the catholics of Ireland were not the only objects of the deputy's despotism and control. The protestant archbishops, bishops, and other clergy, then assembled in convocation, with the famous primate Usher at their head, crouched and groaned under his arbitrary dominion. Lord Wentworth had discovered, that the generality of that clergy were strongly ^a inclined to ^b puritanism; and therefore he resolved, in concert with Archbishop Laud,^b to compel them ² "to receive implicitly,

⁷ Carte's Orm. vol. i.

¹ Strafford's State Letters.

² Id. ib. vol. iii. fol. 381.

^a "They not only sung the psalms after the Geneva-tune, but expounded the text to the Geneva-sense." Strafford's State Letters, vol. i.

^b This archbishop was then and since thought to be popishly affected; but the contrary appears from a private letter of the Rev. Mr. Gerard, to Lord Wentworth, in 1635, as well as from many other passages of that prelate's life. "Some exception," says that clergyman, "has been taken by my Lord's Grace of Canterbury, which he presented, first to the king, and by his majesty's command to the council-table, to the great, I may say over-great, recourse of his majesty's subjects to the queen's chapel at Somerset-house, and to ambassadors houses in the town, which must needs be the cause of the growth of popery in this kingdom. They (the council) have taken into consideration, and I hope will give a speedy remedy to this growing evil. It pleased his grace to say, that the papists were the most

implicitly, without examination, or debate," the canons as well as the articles of the church of England ; a condescension, which for the manner, as well as matter, they were exceedingly loath to yield to. It may not, perhaps, be unentertaining to the reader, to find some account here of this extraordinary transaction, from his lordship's own letter to the archbishop, on that occasion.

" I found,"³ says he, " the lower house of convocation had appointed a select committee to consider the canons of the church of England ; and that they did proceed in the examination without conferring at all with the bishops ; that they had gone through the book of canons, and noted in the margin such as they allowed with an A ; and on the others, they had put a D, which stood for *deliberandum* ; that into the fifth article they had brought the articles of Ireland (of 1615) to be allowed and received, under pain of excommunication ; and that they had drawn up their canons into a body.

" I instantly sent for Dean Andrews,^c that reverend clerk,

³ Strafford's State Letters, vol. i. fol. 342.

most dangerous subjects of the kingdom, and that betwixt them and the puritans, the good protestants would be ground to powder." Straff. State Lett. vol. i. fol. 426.

^c Dean of Limerick. Lord Wentworth was very angry with this clergyman ; and the punishment he intended for him, was somewhat singular. " If," says he, in a letter to Laud on this occasion, " your lordship thinks Dr. Andrews is to blame, and that you would chastise him for it, make him bishop of Ferns and Leighlin, to have it without any other commendam than as the last bishop had it ; and then I assure you, he shall leave better behind him." For that bishoprick, it seems, was then so faddled and spur-gauled, (they are Wentworth's own words) " that, if the devil himself were the rider, he could not make well worse of it than it was already." State Let.

The dean, however, accepted this preferment, with great thankfulness. " His lordship elect," says the deputy of him some time after, " gave us a farewell sermon this lent, that had fasted surely, for a lean one it was ; only he commended the times, and said, how long ! how long ! have we heretofore expected

clerk, who fate, forsooth, in the chair of this committee ; requiring him to bring along with him the aforefaid book of canons, fo noted in the margin, together with the draught he was to present, that afternoon, to the house.

“ But⁴ when I had opened the book, and ran over the *deliberandums* in the margin, I confefs, I was not fo much moved fince I came into Ireland. I told him certainly, not a Dean of Limerick, but an Ananias, had been there in fpirit, if not in body, with all the fraternities and conventicles of Amfterdam ; and that I was afhamed and scandalized at it beyond meafure.⁴ I therefore faid, he fhould leave the book
and

⁴ Straff. St. Let. vol. i. fol. 342.

expected preferment, and miffed of it. But now, God be praifed, we have it. By my troth,” adds Wentworth, “ they were his very words ; and I had much ado to forbear laughing outright, that underftood how he miftook even thefe times in this point, which did not intend this bifhoprick to him for a preferment, but rather as a difcipline. Yet he is a good child, and kiffeth the rod ; fo you fee it was not a correction ill beftowed upon him.” State Lett. vol. i.

⁴ Wentworth omitted no opportunity of ridiculing this puritan chairman of the lower houfe of convocation, even after his promotion. “ I conceive, (fays he) the primate (Usher) is well fatisfied with Dean Andrews’s tranflation to the bifhoprick of Ferns and Leighlin, and fo is the man himfelf. Never any fo well pleafed or fo defirous, I perfuade myfelf, to take a rochet to lofs as he ; had he not died a bifhop he had been immemorial to pofterity ; whereas now he may be reckoned one of the worthies of his time. But the beft jeft is, that now he leaves the deanery of Limerick, I find he hath let a leafe very charitably to himfelf, contrary to the act of ftate, which will caufe him to reftore, and fo make that deanery one threefcore pounds a year better than now it is.” Ib.

“ The church of Ireland was at this time in a deplorable condition ; the cathedrals in many places deftroyed, the parifh-churches generally ruined ; in fome diocefes, as in Ferns and Leighlin, there was fcarce a living left that was not farmed out to the parfon, or to fome perfon for his ufe, at two, three, or four pounds a year for a long time, three lives or a hundred years ; the vicarages were for the moft part ftipendiary, and their

and draught with me; and then I did command him, upon his allegiance, to report nothing to the house from the committee, till he heard from me again; being thus nettled, I gave present directions for a meeting, and warned the primate (Usher), the bishops of Meath, Kilmore, Raphoe and Derry, together with Dean Lefly, the prolocutor, and all those who had been of the committee, to be with me the next morning.

“ Then I publicly told them, how unlike clergymen, that owed canonical obedience to their superiors, they had proceeded in their committee; how unheard-of a part it was, for a few petty clerks to make articles of faith, without the privity, or consent of the state, or the bishops; and what a spirit of Brownism, and contradiction, I observed in their *deliberandums*; but these heady and arrogant courses, they must know, I was not to endure, nor, if they were disposed to be frantic, in this dead and cold season of the year, would suffer them either to be mad in their convocations or pulpits.”

After this his lordship declared to them all, “ that no other question should be proposed at their meeting, but that for allowing, and receiving, the articles of England,* without admitting any other discourse at all; for

their stipends so miserably sordid, that in the whole province of Connaught there was scarce a vicar's pension that exceeded forty shillings a year, and in many places they were but sixteen shillings; the bishopricks themselves, though many in number, were but of small revenue, several were no more than fifty pounds a year, as Waterford, Kilfanora, and others, and some to five marks, as Cloyne and Kilmacduagh; and as “ scandalous livings (adds my author) naturally make scandalous ministers, the clergy of the established church were generally ignorant and unlearned, loose and irregular in their lives and conversations, negligent of their cures, and very careless of observing decency and uniformity in divine worship.” Carte's *Orm.* vol. i. fol. 68.

* Yet in the petition of the clergy of Dublin, in 1647, to the parliament commissioners for leave to use the liturgy and common prayer in their churches, we find these words, “ hence it was, that till the convocation held at Dublin, anno 1634, the articles of the church of England were not held or reputed the
articles

gy were then obliged to subscribe to a canon, denouncing excommunication against themselves, in case they should ever after venture to publish their real opinion of these articles.⁸

A N

⁸ "These canons were confirmed and published by his majesty's authority under the great seal of Ireland." Borlase's Irish Reb. fol. 238.

"And are the canons and constitutions (says Nicholson, bishop of Derry) which are still observed in the established church of Ireland." Irish Hist. Library, p. 76.

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B O O K IV.

C H A P. I.

Lord Wentworth's proceedings upon the enquiry into defective titles.

WENTWORTH was well informed what ample rewards two of his predecessors in the government of Ireland had obtained, by their activity and success in carrying on the enquiry into defective titles; 'one of them having had lands bestowed upon him, which in the year 1633, were of no less than ten thousand pounds yearly value; and the other,' ten thousand pounds in one gift." Hoping therefore, for the like, or greater retribution, his lordship exerted himself in that business with uncommon resolution and vigour; "having procured inquisitions, upon feigned titles to estates, against
L 2 many

¹ Sir Arthur Chichester. Straff. State Lett. vol. ii. fol. 294.

² Lord Faulkland, ib. vol. ii. fol. 294.

many hundred years possession, whilst jurors refusing to find such offices, as being against their consciences, and the evidence, were censured to public infamy,² and the ruin of their estates."

The deputy had chosen Connaught, and Ormond, to make his first essay upon, in this enquiry. His lordship owns,³ "that he had often laboured to find a title in the crown to these countries, but that he was always foiled in the attempt." And, in several of his letters into England, he laments, that he could gather no light from thence into these matters. An accident, however, removed, soon after, his perplexity with regard to Ormond; but the nobility, and gentry, in some parts of Connaught, gave him great opposition. Wherefore,⁴ "old records of state and the memorials of antient monasteries, were ransacked to ascertain the king's original title to that province; and the ingenuity of court lawyers was employed to invalidate all patents granted to the possessors of lands there, from the reign of queen Elizabeth." The deputy even seemed to entertain thoughts of calling to his assistance the authority of his packed parliament, on that occasion.⁵ "This house," says he, in a letter to the secretary, "is very well composed, so as the protestants are the majority; and this may be of great use to confirm and settle his majesty's title to the plantations of Connaught and Ormond; for this you may be sure of, all the protestants are for plantations, all the other against them; so as, these being the greater number, you can want no help they can give you therein.⁶ Nay, in case

² Straff. St. Let. vol. i. fol. 339. ⁴ *Lel. ubi supra*, p. 31.

³ Straff. State Lett. vol. i. fol. 353.

⁵ "Needy projectors, and rapacious courtiers, still continued the scandalous traffic of pleading the king's title against the possessors of estates, seizing their lands, or forcing them to grievous compositions." *Lel. Hist. of Irel.* vol. iii. p. 13.

⁶ This shews the falsity of what is generally asserted, that the protestants suffered as much as the catholics by these plantations. See Harris's *Fiction Unmasked*. In the same letter Wentworth says, "that he considered that majority of the protestants in the house of commons as a good rod to hold over the papists."

case there be no title to be made good to these countries in the crown, yet should not I despair, forth of reasons of state, and for the strength and security of the kingdom, to have them passed to the king by an immediate act of parliament."

C H A P. II.

The Earl of Ormond surrenders his country to the king.

WE have already seen that by the Earl of Ormond's spirited behaviour, in the beginning of this parliament, Wentworth conceived a particular friendship for him; which was so far mutual on the earl's part, that he made a voluntary surrender of his country to the king, in whom otherwise no title could be found to it.^a For this condescension, his lordship was, by the deputy's mediation, made a privy-counsellor, in the room of Sir Pierce Crosby, lately sequestered from that board for no other cause, but his having voted in parliament against a bill which Lord Wentworth had approved and signed in the privy-council.¹ "There were twenty-eight counsellors present when he was sequestered, and not one dissenting voice, but all for the sequestration."

"Soon after Sir Pierce Crosby's sequestration, a libel being published and scattered abroad, reflecting on the deputy, he was immediately suspected to be the author of it; upon this suspicion, the deputy sent his captain of the guards, and a serjeant at arms, to arrest him, and commit him to prison; whilst Sir Philip Mainwaring, secretary of state, with others, broke in-

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¹ Id. ib. vol. i. fol. 350.

^a "Seeing," says Wentworth on this occasion, "we have sped so well, where our title was borrowed, or at least supported by my Lord of Ormond, and indeed could not have stood alone upon the king's evidence, I am most confident we shall have like success for Clare." State Lett. vol. ii. fol. 93.

to his study, and secured his papers in hopes of finding a copy of the libel, but none was found.”^a

The surrender of Ormond was soon followed by that of Limerick and Clare; but the people of Connaught were not at all so complaisant; altho’ they too had some leading examples of that kind in their own province.

About this time Lord Wentworth acquainted his majesty,^b “that he should be able to find for him, a just and honourable title to Connaught, against all opposition; and that the acquisition to his majesty, in that province alone, would amount to no less than an hundred and twenty thousand acres.”^c It is but natural to enquire, by what means a just and honourable title could be so suddenly found, which, but a few months before, seemed to be altogether despaired of. Lord Wentworth himself shall satisfy the reader’s curiosity in that respect.^c

Before his lordship left Dublin, to hold this court of inquisition in Connaught, he had given orders to his managers there, that gentlemen of the best estates and understandings, in the different counties, should be returned on the juries which were to be held in the first trials of defective titles. This he did not, as one might imagine, on a supposition of their greater knowledge, integrity or honour; but because, as he says himself,^d “this being a leading case for the whole

^a Carte’s Orm. vol. i. fol. 86.

^b Straff. State Let. vol. i. fol. 350.

^c Ib. fol. 442.

^d “Wentworth’s project was nothing less,” says Leland, “than to subvert the title to every estate, in every part of Connaught, and to establish a new plantation through that whole province. A project, which when first proposed in the late reign, was received with horror and amazement.” Hist. of Irel. vol. iii. p. 30.

^e “How to make out,” says Wentworth, “his majesty’s title to Connaught and Ormond, (which, considering how they have been already attempted and foiled, is of all the rest the greatest difficulty) I have not hitherto received the least instruction from your lordship, or any other minister on that side.” Letter to Lord Treasurer Straff. vol. i. fol. 339.

whole province, it would set a value, in their estimation, upon the goodness of the king's title, if found by those persons of quality." And on the other hand, if the king's title should not be found, or, as he expresses it, "if the jury should prevaricate," he would be sure then to have "persons of such means, as might answer to the king in a round fine in the castle-chamber; and because the fear of that fine would be apter to produce the desired effect in such persons, than in others, who had little or nothing to lose."

C H A P. III.

The deputy holds his court of inquisition.

HIS lordship having thus prepared matters, went himself to the abbey of Boyle, in the county of Roscommon; "where," says he, "finding that divers affrights had been put into the people's minds, concerning his majesty's intention in this work, I sent for half a dozen of the principal gentlemen amongst them; and in the presence of the commissioners, desired that they would acquaint the rest of the country, that the end of my coming was, the next day to execute his majesty's commission, for finding a clear and undoubted title in the crown to the province of Connaught, proposing to begin first with the county of Roscommon; wherein, nevertheless, to manifest his majesty's justice and honour, I thought fit to let them know, that it was his majesty's gracious pleasure, that any man's counsel should be fully and willingly heard, in defence of their respective rights; being a favour never before afforded to any, upon taking these kind of inquisitions; as also, if there was any thing else they desired, that I was ready to hear them, and would return them a fair and equal answer thereunto, as by his majesty I had been strictly enjoined; and to afford his good people all respect and freedom, in the setting

ting forth, and defence of their several rights and claims.^a With this," continues he, "I left them marvellously well satisfied, for a few good words please them more than can be imagined."

"The next morning, however," adds his lordship, "the gentlemen of the country petitioned, that the inquisition might be deferred to a longer time, they being unprovided; which I refused, as I had caused notice of it, by a *Scire facias*, to be issued from the Chancery, twenty days before; which was more also than had formerly been accustomed, in cases of that nature. So presently," proceeds he, "we went to the place appointed; read the commission, called and swore the jury, and so on with our work."

Sir Lucas Dillon was foreman of this jury, and seems to have behaved, on that occasion, entirely to the deputy's liking.^a Nevertheless, after the lawyers on both sides had done speaking, Lord Wentworth made a speech to the jury, which did not at all encourage them to use that freedom which he had promised to allow them, in returning an impartial verdict; but on the contrary, rather convinced them, that his lordship had already pre-judged the cause against their countrymen. For, among other things, he told them, "that his majesty was indifferent whether they found for him or no; that he had directed him to press nothing upon them, where the path to his right lay so open and plain before him; but yet, that of himself, and as one that must ever wish prosperity to their nation, he desired them first to descend into their own consciences, to take them to counsel, and there they should find the evidence for the crown clear and conclusive. Next to beware, how they appeared resolved or obstinate, against so manifest a truth; or how they let slip out of their hands, the means to weave themselves

^a State Letters, vol. i. fol. 442.

^a "In truth," says he of this gentleman, "he deserves to be extraordinarily well dealt withal; and so he shall be, if it pleases his majesty to leave him to me." State Let. vol. i. fol. 444.

selves into the royal thoughts and care of his majesty, through a chearful and ready acknowledgment of his right, and a due and full submission thereunto. That if they would be inclined to truth, and do best for themselves, they were undoubtedly to find the title for the king. But if they were passionately resolved to go over all bounds to their own will, and without respect at all to their own good, to do that which were simply best for his majesty, then he should advise them roughly and pertinaciously, to deny to find any title at all; and there," says he, "I left them to chant together, as they call it, over their evidence; and the next day, they found the king's title without scruple or hesitation."

C H A P. IV.

The deputy's severity towards the jury of the county of Galway.

THE juries of the counties of Sligo and Mayo followed the example set them by that of Roscommon; but the jury of the county of Galway was, by no means, so complying; and they suffered grievously on that account.

For, upon their refusing to find a title in the crown to the estates of their countrymen, Lord Wentworth made use of some of his just and honourable means, to convince them of their mistake.¹ "We bethought ourselves," says he on this occasion, "of a course to vindicate his majesty's honour and justice, not only against the person of the jurors,² but also against the sheriff for returning so insufficient indeed, we conceive, so packed a jury; and therefore we fined the sheriff in

¹ Ib. fol. 451.

² "The star-chamber (says Lord Deputy Chichester in 1613) is the proper place to punish jurors, that will not find for the king upon good evidence." Desid. Curios. Hib. vol. i. p. 262.

in a thousand pounds to his majesty." The mulct on the jurors was much greater.² "They were fined four thousand pounds each; their estates were seized, and themselves imprisoned,^b till the fines were paid." Such was the sentence pronounced against them in the castle-chamber, to which his lordship had bound them over; and where,³ "he conceived it was fit, that their pertinacious carriage should be followed with all just severity."

What was then understood by "just severity," may be collected from an extract of the grievances which, towards the end of his administration, the commons voted "real;" and which, in one article, seems to allude to this very case, viz. "that jurors,⁴ who gave their verdict according to their consciences, were censured in the castle-chamber in great fines: sometimes pillored with loss of ears, and bored through the tongue, and sometimes marked in the forehead with an iron, with other infamous punishments."

And although he had publicly promised, "that their council on this occasion should be freely and willingly heard, in defence of their respective rights:" yet he scrupled not to take severe vengeance on two eminent lawyers,^c who ventured to plead in their behalf; and all his lordship's proceedings against them, and against the sheriff and jurors before-mentioned, were afterwards^d approved of by his majesty.

Another

² St. Let. vol. i. ³ Ib. ⁴ Commons Journal, vol. i.

^b Straff. State Letters, vol. ii. fol. 465.

^c "The jurors of Galway were to remain in prison, till each of them paid his fine of four thousand pounds, and acknowledged his offence in court upon his knees." *Lel. Hist. of Ireland*, vol. iii. p. 32.

^d "As for the counsellors of the law," says he, "who so laboured against the king's title, we conceive it is fit, that such of them as we shall find reason to proceed withal, be put to take the oath of supremacy, which if they refuse, that then they be silenced, and not admitted to practice." *State Letters*, vol. i. fol. 454. This was according done.

^e He tells us himself, that upon his making a report to the king

Another of his just and honourable means, to attain this end, as he himself informs us,⁶ "was to enquire out fit men to serve upon juries; and to treat with such as would give furtherance to the king's title." He, besides, proposed the raising of four thousand horse,⁷ as good lookers-on, while the plantations were settling. And lastly, he prevailed on the king to bestow four shillings in the pound, upon the lord chief justice and chief baron, forth of the first yearly rent raised upon the commission of defective titles;⁸ "which," as he afterwards says, "he had found, upon observation, to be the best given that ever was; for that by these means, they did intend that business with as much care and diligence, as if it were their own private; and that every four shillings, once paid, would better his majesty's revenue four pounds."

Against the deputy's predatory designs, thus planned and executed, the natives were destitute of all manner of defence.⁹ "No title in the subject could stand against his claim." At first none was held good, but that which was founded on letters patent; yet when even letters patent were produced, as in most cases they were, none were allowed valid,^c nor yet sought to be legally avoided;
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⁶ Ib. vol. i. 339. ⁷ Ib. fol. 442. ⁸ Ib. vol. ii. fol. 41.

⁹ Remonstrance from Trim.

king and council in England, of those proceedings, his majesty said, "It was no severity, wished him to go on in that way; for that if he served him otherwise, he should not serve him as he expected. So I kneeled down," adds he, "kissed his majesty's hand; and the council rose." Carte's Orm. vol. iii. p. 11.

^c The deputy and commissioners of plantation, in their public dispatch to Secretary Coke, on this subject, confessed, "That in former plantations in Ireland, all men claiming by letters patent had the full benefit of them, either in enjoying the lands granted them, or other lands equivalent thereunto, whether their letters patent were valid or invalid. And indeed," add they, "in those (former) plantations, that favour might better be yielded, where the lands claimed by letters patent, were not in any great or considerable proportion, than here, where almost all the lands falling under plantation are granted, or mentioned to be granted, by letters patent." Straff. State Letters, vol. ii. fol. 139.

so that one hundred and fifty letters patent were set aside in one morning; which course was continued, until all the letters patent in the kingdom, except a few, were declared void.

C H A P. V.

Further distresses of the people of Connaught.

“THE gentlemen of Connaught,” says Mr. Carte,¹ “laboured under a particular hardship on this occasion; for their not having enrolled their patents and surrenders of the 13th Jacobi, (which was what alone rendered their titles defective) was not their fault, but the neglect of a clerk entrusted by them. For they had paid near three thousand pounds to the offices at Dublin, for the enrollment of these surrenders and patents, which was never made. There was an act of state made in Lord Grandison’s time, and dated May 14th, 1618, full in their favour and confirmed their possessions; and they had paid great sums of money for it into the exchequer; they were quietly settled in their lands, and paid the king his composition better than any other part of the kingdom. It was hard, in those circumstances, to turn them out of their estates, upon a mere nicety of law, which ought to be tenderly made use of in derogation of the honour and faith of the king’s broad seal.”

So general and lasting were the terrors arising from these severe proceedings of the deputy, that in 1637, the whole body of the gentry of the county of Galway offered to make a surrender of their estates to the crown, and for that purpose, sent a letter of attorney to the Earl of Clanrickard,² then at London,

¹ Life of Ormond, vol. i.

² It was in Lord Clanrickard’s house, that Wentworth held this court of inquisition; “and the death of that lord, (which happened

don,² signed by an hundred and twenty-five persons of the best quality in the county. "At the same time, the still imprisoned sheriff and jurors, instead of seeking redress, petitioned, but in vain, for pardon; ³ offering to acknowledge the deputy's justice, and their own errors of judgment, upon condition only, that they and the rest, might be put upon the same footing with the other planted countries;" for in these cases,⁴ the general rule was, that a fourth part of their land should be taken from the natives, with an increase of rent upon the remainder; "but the county of Galway, on account of its former refractoriness, was planted at a double rate, so that they lost half."^b

For Wentworth was so far from being satisfied with this submissive petition and offer, that he insisted upon a public acknowledgment from these jurors of their
having

² Straff. State Let. vol. ii. fol. 25. ³ Id. ib. ⁴ Ib. fol. 35.

happened soon after) enflamed the popular odium against the deputy. It was imputed to the vexation conceived by this nobleman at the attempts against his property by an insolent governor, who possessed himself of the earl's house at Portumna; and, in his hall, held that court which impeached his title to his lands." *Lel. Hist. of Irel.*

^b Thus Secretary Coke writes to Wentworth on this occasion, "That a greater proportion of land should be taken from the pretended owners in the county of Galway, than in the rest, is thought just and reasonable, for the reasons you allege. And such seizures as you intend both against the jurors and all others, that will not lay hold of the grace offered them by the proclamation." *Straff. State Let. vol. i. fol. 465.*

Mr. Carte indeed asserts (but upon what authority appears not), "that by the interposition of Ulick Burke, Earl of Clanrickard, in England, the fines of the sheriff and jury of Galway, were afterwards reduced, the plantations laid aside, and the inhabitants confirmed in the enjoyment of their estates, upon the like terms as the rest of the kingdom, without suffering the hardships, change of possessions, or other disagreeable circumstances, which attended a plantation." *Orm. vol. i. f. 82.*

The sheriff and jury of Galway were imprisoned about the year 1634; and if we recollect, that upon Wentworth's making a report to the king in council, in the year 1636, of his
proceedings

having committed, not only an error in judgment, but even actual perjury, in the verdict they had given; which being refused by them,⁵ he, besides planting their country at the rate before-mentioned, procured an order from the king, that their agents in London should be sent prisoners to Dublin, to be tried before himself in the castle-chamber, for having dared to patronise their cause. These severities however, raised no small apprehensions in some that were about the king, and even the king himself,⁶ "lest they might disaffect the people of Ireland, and dispose them to call over the Irish regiments from Flanders, to their assistance."

About this time, "the bishops and their chancellors began again to question the catholics,⁷ and lay heavy fines upon them, for their christenings and marriages." But the deputy wisely considered,⁸ "that it would be too much at once, to distemper them by bringing plantations upon them, and disturb them in the exercise of their religion; and very inconsiderate to move in the latter, till the former was fully settled, and by that means, the protestant party become much the stronger, which he did not then conceive it to be." Finding, therefore, that these proceedings of the bishops had very much disquieted the catholics, and given them terrible apprehensions of an instant persecution, he wrote to England for orders to put a stop to them;⁹ "as," says he, "'tis a course which alone will never bring them to church; but is rather an engine to draw money out of their pockets, than to raise a right belief in their hearts."

C H A P.

⁵ Straff. State Let. vol. ii. fol. 36.

⁶ Ib. fol. 39.

⁷ Id. ib.

⁸ Id. ib.

⁹ Ib.

proceedings towards these gentlemen, his majesty told him, "that it was no severity; and that if he served him otherwise, he should not serve him as he expected;" (ib. vol. iii. fol. 11.) we shall find but little probability in Mr. Carte's assertion, especially since it appears that they still continued prisoners in the year 1637. See Straff. State Let. vol. ii. fol. 25.

C H A P. VI.

The court of wards and high commission in Ireland.

ALL this while complaints were every where heard of grievances, arising from the court of wards, and that of the high commission. The former was a new court,^a never known in Ireland till the 14th of James I. "It had no warrant from any law or statute, as that in England had." Sir William Parsons, by whom it was first projected, was appointed master of it, a man justly and universally hated by the Irish. And such were the illegal and arbitrary proceedings of that court, that² "the heirs of catholic noblemen, and other catholics, were destroyed in their estates, bred in dissolusion and ignorance; their parents debts unsatisfied, their sisters and younger brothers left wholly unprovided for; the antient appearing tenures of mesne lords unregarded; estates valid in law, and made for valuable considerations, avoided against law; and the whole

^a Carte's Orm. vol. i. fol. 517. ² Remonst. from Trim.

^a It is mentioned in the complaints of the Irish nobility and gentry in the year 1614, as an oppressive court. Lord Deputy Chichester applauds it, among other reasons, because "there was a clause in every grant of wardship, that the wards should be brought up in the college near Dublin, in English habits and religion; which," adds he, "is the only cause of their grievance in this point." Desid. Curios. Hibern. vol. i. p. 268.

The king and English council to Sir Arthur Chichester and Irish council, have these words, "Within what bounds his majesty wisheth you to contain yourselves, we mean to touch that point no farther at this time, saving only in answer to one point of your letter of the 9th of July (1606), to let you know, that if any motion shall be made here for reviving of a high commission, it shall appear that his majesty thinketh the same unseasonable, and therefore, without order from him, we require you to forbear to give any way to it." Ib. p. 496.

whole land filled with frequent swarms of escheators, feudatories, pursuivants and others, by authority of that court."

The unlimited power and great oppression of the high commission-court,^b which was still more recent in Ireland, than the court of wards, was not less grievously complained of by the catholics, on account of^c "the incapacity thereby contracted, for all offices and employments; their disability to sue out livery of their estates, without taking the oath of supremacy; the severe penalties of various kinds, inflicted by that court on all those of their religion,"^d they being an hundred to one more than those of any other religion; in which respect, the case of Ireland was very different from that of England or Scotland, where there was scarce one Roman catholic to a thousand protestants."

Yet, in the midst of so many depredations and pressures, the catholics of Ireland gave such unquestionable proofs of their loyalty and dutiful affection to the

^a Remonst. from Trim.

^b Carte's Orm. vol. i. fol. 517.

^c Lord Wentworth proposed the erecting of the high commission-court in Ireland in January 1633, "to bring," says he, "the people here to a conformity in religion; and, in the way to that, raise perhaps a good revenue to the crown." State Let. vol. i. fol. 188.

^d "These regulations in the ecclesiastical system, were followed by an establishment too odious, and therefore too dangerous to be attempted during the sessions of parliament, that of an high-commission court, which was erected in Dublin, after the English model, with the same formality, and the same tremendous powers." Lel. Hist. of Irel. p. 28.

^e Sir Arthur Chichester, in a letter to the king and council in England, an. 1613, says, "By the statute of 2 Eliz. c. 1. in this kingdom (Ireland), 'tis ordained, that every person suing livery or *ouster le maynes*, shall, before his livery or *ouster le maynes* sued forth and allowed, take the oath of supremacy. And therefore they (the Irish) being obstinate recusants, are not permitted to sue forth their liveries under the great seal till they take the oath; and so they continue intruders upon the king's possession; for which intrusion, they are justly sued in the exchequer, and the damage they suffer is by their own wilful default and contempt of the law." Desid. Curios. Hibern. vol. i. p. 263.

the crown of England (and that also at a very critical juncture), as cannot, perhaps, be paralleled in the history of any other people, under the like circumstances.

These proofs were exhibited in that parliament, which met at Dublin, in 1640, in order to raise large supplies towards suppressing the rebellion in Scotland, which had then risen to a formidable height. Their zeal on this occasion, was honourably attested by several privy-counsellors, members of that parliament, "persons," says Wentworth himself, "best able to satisfy, and in themselves most to be trusted." Among these, I find Sir William Parsons, Sir John Borlase, Sir Charles Coote, and others, whose malevolence and enmity to the Irish in general, are well known and confessed; and whose testimony, therefore, in their favour cannot reasonably be suspected.

"After the proposal of such acts of grace, and advantage to the subject," say these privy-counsellors in their letter to Secretary Windebank, on this occasion, "as we conceived most fit to lead in order to the propounding of the six subsidies, these six subsidies were demanded for his majesty; whereupon some of the natives declared that six or more were fit to be given, it being apparent that the peace and safety of the kingdom were become so nearly concerned. Some also of them said, that his majesty should have a fee simple of subsidies in their estates on such occasions, for the honour of his person, and safety of his kingdoms; that it was fit to be done, though with leaving themselves nothing but hose and doublet. Some of them with much earnestness, after forward expressions of readiness towards advancing the business, concluded that, as his majesty was the best of kings, so this people should strive to be ranked among the best of subjects.

"Thus," continues the privy-counsellor's letter, "every of them seeming in a manner to contend, who should shew most affection and forwardness to comply with his majesty's occasions; and all of them

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expressing,

⁵ Straff. State Let. vol. ii. fol. 398.

⁶ Ib.

expressing, even with passion, how much they abhorred and detested the Scotch covenanters ; and how readily every man's hand ought to be laid on his sword, to assist the king in reducing them by force to obedience, they desired that themselves, and others of this nation, might have the honour to be employed in this expedition ; and declared, with very great demonstration of cheerful affection, that their hearts contained mines of subsidies for his majesty ; that twenty subsidies, if their abilities were equal to their desires, were too little to be given to so sacred a majesty.

“ In the end, considering how unable they were, without too much pressure to them, to advance more at this time, they humbly besought, that by the lord lieutenant's interposition, four subsidies might be accepted from them ; yet with this declaration, made by them with as much demonstration of loyalty, as ever nation or people expressed towards a king, that if more than four subsidies should be requisite, and the occasions of the war continued, they would be ready to grant more ; or to lay down their lives and estates at his majesty's feet, to further his royal design for correction of the disordered factions in Scotland. And this they did declare with general acclamations and signs of joy and contentment, even to the throwing up of their hats and lifting of their hands.”

C H A P. VII.

Some invidious reflections on the foregoing passage considered.

BUT we are to told by some reputable historians, that in the very next session, the untoward behaviour of these commons discovered the insincerity of their professions ; * that they “ who had but just before devoted

* *Lel. Hist. of Ireland, vol. ii.*

* Lord Wentworth, who was certainly a more competent judge

devoted their lives and possessions, to the service of the best of kings, grew cold, querulous and suspicious; objected to the rates of assessment, though the same which had been used in the late parliament; and in short, that a general combination was formed throughout the kingdom, to prevent the levying any money, until a new manner of taxation should be settled by the parliament; or in other words, until they should annul and rescind the late money bill, enacted with such remarkable zeal and unanimity."

The late parliament here alluded to, was that which had met in Dublin in 1634, under Lord Wentworth; who, as we have already seen, had formed and managed it entirely for his own and his master's private purposes.*

"His lordship regarded Ireland as a conquered kingdom, and from that conception deduced a consequence, at once ridiculous and detestable, that the subjects of this country, without distinction, had forfeited the rights of men and citizens, and for whatever they were permitted to enjoy, depended solely on the royal grace." Agreeably to these sentiments, he exercised a despotic, and indeed tyrannous, power over that parliament.³ "With one voice the commons voted a grant of six subsidies, four for paying the debts of the establishment, two for buying rents and pensions; not that the uses were determined by a formal appropriation: they entrusted the management of their supply solely to the deputy, requesting only by petition, that it might be appropriated to these purposes."

Such were the proceedings alluded to, as a proper precedent for the commons, in 1640, to have followed

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in

² Id. ib.

³ Id. ib.

judge of that matter, than any historian that has since appeared, says on this occasion, "It is hardly to be believed, what a forwardness there is in this people to serve in this expedition (against the Scots); certainly, they will sell themselves to the last farthing, before they deny any thing, which can be asked of them, in order to that." State Letters, vol. ii. In another letter he tells the king, "that their zeal is all on fire to serve his majesty." Ib.

in the manner of rating their supplies. But these commons thought very differently of that precedent; for Lord Wentworth, now Earl of Strafford, having been recalled into England, and having left directions with his deputy, Wandesford,⁴ "his lordship's friend and ally," to issue the same instructions, for settling the rates of taxation, with regard to the present subsidies, as had been formerly issued concerning those granted by parliament, in 1634 (which was accordingly done), the commons thought fit to make use of the liberty, which they now were possessed of by his absence; and knowing that the former grants were "exorbitant and oppressive," ventured to alter the mode of assessing three of these subsidies; declaring, at the same time,⁵ "that in consideration of his majesty's many and pressing occasions, the first of the four subsidies should be levied according to the instructions issued by the deputy and council; not in deference to these instructions, but merely by their own authority and direction; and that neither these instructions, nor what was done in the late parliament (1634), with respect to the subsidies then raised, should be a guide or precedent, in levying the three other subsidies, which they ordered to be raised in a moderate, equal and parliamentary way. They likewise ordered,⁶ "as the second subsidy was not payable till December, and as it might conduce to his majesty's service, to hasten the payment of the third also, that both should be paid together, on the first of December 1640; six months earlier than the third subsidy had been made payable by the original grant."

This particular care to hasten the payment of the first and third subsidies indicated, one would imagine, in these commons, some attention to his majesty's service. But his majesty, it seems, was persuaded to think otherwise; for we are told, that he looked upon this proceeding to be so ridiculous and insolent, that he ordered,⁷ "with a peevish impatience," the leaf in which
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⁴ *Lel. Hist. of Ireland*, vol. ii.

⁵ *Id. ib.*

⁶ *Com. Jour.* vol. i.

⁷ *Ib.*

⁸ *Lel. Hist. of Ireland*.

this resolution was inserted, to be torn from their journals; "which order was accordingly executed by the deputy, on the 19th of November 1640."

But the king was soon after brought to a right way of thinking, concerning this particular. For on the 4th of January following, he wrote to the Irish council, (and ordered his letter to be publicly read in the house), "that having,⁹ by a committee of the commons of Ireland, received satisfaction, both in their loyalty and affection unto him, and also in those matters which induced him to require his deputy to vacate an order made, concerning the levying of the subsidies granted in the same parliament; he was then graciously pleased, and did thereby authorize and require them, to cause the inclosed (the vacated order) to be again inserted and registered in the same place, to continue and be of equal force, as if the original had remained there."

From hence it appears, that these commons were actuated by two very just and patriotic motives, viz. Opposition to a measure confessedly "exorbitant and oppressive," and a laudable desire, to recover their ancient constitutional right of rating their own grants, which had been violently taken from them in the preceding parliament. But how it could possibly be inferred from such conduct, that they intended to annul and rescind their late money bill, or that they were united in a regular and determined scheme of opposition, for any disloyal or unconstitutional purpose, is, I think, very hard to be conceived.

C H A P.

C H A P. VIII.

The Irish commons encomium on the Earl of Strafford's administration considered.

FOR the expedition against the Scottish rebels, Lord Strafford had raised an army in Ireland, consisting of about nine thousand men; eight thousand of which number were Irish catholics. For his lordship knew, and did attest, that in the support or defence of his majesty's crown and dignity, "the Irish were as ready to venture their persons, as they were to open their purses."

"Sir William St. Leger,² serjeant major general of the army, having reviewed these troops at Carrickfergus, saw such willingness and aptness in them to learn their exercises, and that mettle and gallant appearance, which would recommend them to be chosen for a service where a crown lay at stake, made no scruple to pronounce, that considering how newly they had been raised, no prince in the christian world had, for their number, a better and more orderly body of men in his service."

Lord Strafford was extremely desirous to have the chief command of this army; but he was conscious, at the same time, that he was represented in England as a person odious to the people of whom it was chiefly composed; in short, "as a vizier,³ bashaw, or any thing else that might be worse; and as one hateful both to God and man." In order to remove that obstacle, he laboured privately to persuade the king,⁴ "that the Irish did not distaste him so much as willingly

¹ Straff. State Let. vol. ii. ² Cart. Orm. vol. i. fol. 99.

³ Straff. State Let. vol. ii. ⁴ Id. ib.

⁵ "The raising, cloathing, paying and providing this army, by the latter end of September 1640, when it was dispersed, cost 204057l." Carte's Orm. vol. i. fol. 105.

lingly to change him ; or to desire any new deputy in his stead ; and, that if it were left to their choice, they would not have any other general but himself."

But his lordship found means to procure a much more persuasive testimony, than his own for this purpose ; even a public and solemn attestation in his favour, from that house of commons, which he had so often insulted and abused. For, in the preamble of the act of subsidies lately passed, we find the commons,⁵ returning thanks to his majesty, for having placed over them, so wise, just, and vigilant a governor ; extolling his lordship's sincere and upright administration of justice, without partiality ; his having increased his majesty's revenue, without the least hurt or grievance to any of his majesty's loving subjects ; and his care to relieve and redress the poor and oppressed."

"There could not be," says Mr. Carte,⁶ "an higher, and there has seldom been a juster elogium given of a governor and of his upright and impartial administration by any body of men, than was given of this lord lieutenant, and his administration, by this house of commons ; it was given *nemine contradicente*, and passed with loud and general acclamations of applause."

Thus we see, that although this honourable testimony had not then the wished for success in saving his lordship's person from the rage of his enemies, yet it has been since more effectually made use of by historians, to rescue his memory from that infamy, which his administration of Ireland particularly, has brought upon it. But Mr. Carte has very imperfectly related another passage recorded in the same journals of the commons, from whence he took this elogium, viz. The solemn protestation of these commons against it, (in which they were joined by the lords) to this effect ; that the "aforesaid preamble to the act of subsidies," was contrived, penned, and inserted fraudulently, (without the privity of the house,) either by the Earl of Strafford himself, or by some other person or persons, advisers,

advisers, procurors or actors of, or in the manifold and general grievances and oppressions of his majesty's kingdom of Ireland, by the direction and privy of the said earl, on purpose to prevent and anticipate the just and universal complaints of his majesty's faithful, dutiful and loving subjects against him." And they required their committee, then attending his majesty, "to present unto him that their protestation and proofs thereof; and likewise to present unto his majesty, their humble request, that an act might be passed in that parliament for revoking, vacating, and taking from the records of parliament, the before-recited part of the preamble concerning the Earl of Strafford."

The reason they assigned in that protestation, for having suffered this part of the preamble to pass, when it was first communicated to them, was,⁸ "that before such time as that act (having been formerly transmitted to England, and returned from thence) was read, or known in the house, the said Earl of Strafford did declare and signify to both houses of parliament, his majesty's urgent and great occasions; and the near and approaching danger, that Ireland was suddenly to be invaded by the Scots; and thereupon, and not before, the said act was read, and made known in the house of commons; and that their natural and fervent zeal and devotion to his majesty's service, and the fears of the said declared eminent danger, and the inconveniencies which they suspected might ensue, if they then had excepted against the said part of the preamble, concerning the Earl of Strafford, and had expected a new transmission, as a statute of force in this realm, doth require, did occasion and enforce, their not then speaking, or protesting against the said part of the preamble."

C H A P.

⁸ Commons Jour.

C H A P. IX.

Complaints of grievances.

THE before-mentioned committee of parliament, attending the king in England, had presented a remonstrance of grievances which the commons had voted, ' " of their own knowledge to be so clear and manifest, that no place was left for denial of proof." These grievances were great and numerous. Part of those recited in their journals, are the scandalous extortions of the ecclesiastical courts,^a for old popish rites and customs, condemned and renounced by those very persons who then so greedily exacted the profits formerly annexed to them, which, it seems, they still deemed orthodox; great sums of money received by several bishops, for commutation of penance, which they converted to their own use; the lord deputy's punishing the natives by fine, imprisonment, mutilation of members, pillory, or otherwise arbitrarily, and without law; and making them forfeit their liberty, possessions and inheritance, merely for infringing an act of state or proclamation; the sentencing the subjects to death, by martial law, in times of profound peace; the issuing *quo warrantos* out of the king's-bench or exchequer, against boroughs that antiently, and recently sent burgesses to parliament; the censuring of jurors in the castle-chamber, that gave verdict according to their consciences, with mutilation of members,

^a Commons Jour.

^a The dissenters of Ulster in their petition to the English house of commons in 1640, did not fail to take notice of these abuses. "The prelates," say they, "and their faction, as they inherit the superstition of the papacy, so of late they exact, with all severity, the obsolete customs of St. Mary's-gallons, mortuaries, &c. which, as they were given by superstition, and used to idolatry, so now they are taken by oppression, and applied to riotousness." Pryn's Antipathy to Bishops, part ii. p. 375.

bers, and other infamous punishments ; the taking of the testimony of rebels, traitors, protected thieves, and other infamous persons, upon trials of men for their lives. And they particularly complained of the insecurity of their estates, by means of the enquiry into defective titles, which was still carried on with great rigour; humbly praying his majesty, “ that he would be graciously pleased to direct that bills might be drawn in the house of commons, and transmitted from the chief governor or governors, and privy-council of Ireland, to be passed as acts of that parliament, for the redress of these grievances, and for the security of their estates, as their respective cases, for their better assurance, should require.”

After what has been now related of the wretched condition of the Irish catholics, in this and the former reign,^b who can help wondering at Clarendon's strange partiality or ignorance, (which yet has been servilely copied by all succeeding historians) when he confidently asserts,² “ that, at this very juncture of time, and for forty years before it, the state of these catholics affairs was as quiet and happy as they themselves could reasonably wish it ; and that whatever their land, labour,

² Hist. of the Irish Rebel.

^b The catholic nobility and gentry of Ulster, in their address to his majesty, (Charles the 1st.) “ with much grief express their sense of their general sufferings and pressures since the beginning of his late majesty's, his royal father's reign, being almost forty years, and the only time of continued peace they enjoyed these later ages, in all which time, through the corruption of the governors, and state of the realm, though for redress of their grievances frequent suit had been made by them, yet that therein they could never obtain any part of their desires, but rather had endured a continual servitude than the freedom of subjects, being not permitted in all that space to enjoy their birthright, or the benefit of the fundamental laws of the realm, nor admitted to have property in their goods or lands, for that a tyrannical government had been continually exercised over them all that time, in more strict and cruel manner than in Turkey or any other infidel country, though by the antient fundamental laws of the kingdom, no subjects in Europe can challenge more freedom, or liberty.” Desid. Curios. Hibern. vol. ii, p. 90.

labour, and industry produced, was their own; being free from fear of having it taken from them by the king, on any pretence whatsoever, without their own consent."

In compliance with the aforesaid remonstrance and petition of the commons, his majesty ordered the lords justices, Parsons and Borlase,³ "to assure his good subjects of Ireland, that his princely promise, formerly passed unto them, (to redress these, and several other grievances) should be speedily performed; and to that end he required, that bills might be transmitted from their lordships and the council, for securing their estates, touching the limitation of his title not to extend above three score years."

C H A P. X.

The remonstrance of grievances vindicated.

IT has been of late objected, that this remonstrance of grievances, was not fairly and deliberately voted in the Irish parliament; but that, on the contrary, it was, "abruptly presented to the house,¹ not suffered to be spoken to, and passed in the midst of tumult and disorder." But this objection now appears to be nothing more than a partial and groundless surmise: for "some of the grievances mentioned in it,² had been presented by parliament to the deputy, in June preceding, as found real and enormous, after many debates." And as for those lately added, viz. the "tremendous powers" of the high commission-court, the denial of the promised graces, &c. it is notorious, that they had been long before complained of, as intolerable both in and out of parliament. It appears by the journals,³ "that a grand committee was appointed to sit upon the grievances of the country, on the 12th of October, 1640; and that, on the 7th of the following month, an order was passed, that the particular matters expressed in

³ Com. Jour. vol. i.¹ Lel. Hist. of Ire. ² Com. Jour. vol. i. ³ Ib.

in the remonstrance in question, being thrice read, required present redress, and should be forthwith represented to the right honourable the lord deputy, by Mr. Speaker and the whole house." Another order was passed on the 9th, "that Mr. Speaker, for the greater solemnity, should read the remonstrance twice, and that it should be afterwards presented to the lord deputy." On the 11th, "a committee was appointed, consisting, among others, of the vice-treasurer, the master of the rolls, and the chancellor of the exchequer, to wait upon the deputy, to know when he would give his answer to the remonstrance." And on the 12th, "a committee was again appointed, to attend his lordship for his answer;" which appears then to have been, "that the commons should confer with some of the lords of the privy-council, (not, as has been supposed,⁴ with the house of lords) concerning the nature of the grievances complained of." But to this conference, as being contrary to their privileges, the commons refused to consent;⁵ "in regard that the contents of their remonstrance had been already voted in their house for grievances;" for which refusal, the deputy prorogued them on the same 12th of November. And thus it evidently appears, that this remonstrance, instead of being abruptly presented to the house, not suffered to be spoken to, and passed in the midst of tumult and disorder, was agitated, for several days, with due deliberation and regularity, and at length agreed to, after many readings and debates.

C H A P. XI.

The immediate cause of the insurrection in 1641.

HAD his majesty's commands before-mentioned to the Lords Justices, Parsons and Borlase, to pass the bills for securing the estates of the natives, and for confirm-
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⁴ Leil. Hist. Irel.

⁵ Ib.

ing the other promised graces, been duly executed, or rather not positively disobeyed by their lordships, the dreadful insurrection of the following year, either would not at all have happened, or would have been quickly suppressed. Such, at least, was his majesty's opinion; as we find by his answer to a declaration of the English commons on that occasion; for there he tells them, "that if he had been obeyed in the Irish affairs, before he went to Scotland, there had been no Irish rebellion; or after it had begun, it would have been in a few months suppressed, if his directions had been observed: for if the king had been suffered to perform his engagements to the Irish agents, and had disposed of the discontented Irish army beyond sea, there is nothing more clear, than that there could have been no rebellion in Ireland, because they had wanted both pretence and means to have made one."

At this time it was confidently reported in Ireland, that the Scottish army had threatened never to lay down their arms, till an uniformity of religion was established in the three kingdoms, and the catholic religion suppressed.¹ "A letter," says Mr. Carte, "was intercepted coming from Scotland, to one Freeman of Antrim, giving an account, that a covenanting army was ready to come for Ireland, under the command of Gen. Leslie, to extirpate the Roman catholics of Ulster, and leave the Scots sole possessors of that province; and that, to this end, a resolution had been taken in their private meetings, and councils, to lay heavy fines upon such as would not appear at their kirk, for the first or second Sunday; and on failure the third, to hang, without mercy, all such as were obstinate, at their own doors."

The whole body of the catholic nobility and gentry of Ireland declared in their remonstrance at Trim, which was delivered, in due form to his majesty's commissioners, in March 1642, that previous to the insurrection,² "certain dangerous and pernicious petitions, contrived

¹ Reliq. Sac. Carolinzæ, p. 273. ² Cart. Orm, vol. i. fol. 160.

³ See Append.

contrived by the advice and counsel of Sir William Parsons, Sir Adam Loftus, Sir John Clothworthy, and sundry others of the malignant party in the city of Dublin, in the province of Ulster, and several other parts of the kingdom, directed to the commons house in England, were at public assizes and other public places made known and read to many persons of quality; which petitions contained matters destructive to the said catholics religion, lives and estates." *

This dread of an extirpation, as appears from a multitude of depositions taken before Dr. Henry Jones, and other commissioners appointed by the lords justices, prevailed universally among the catholics of Ireland, and was insisted upon, as one of the principal reasons for their taking arms.⁴ The Earl of Ormond, in his letters of January 27th, and February 26th, 1641, to Sir William St. Leger, imputes the general revolt of the nation, then far advanced, to the publishing of such a design."

C H A P.

* Cart. Orm. vol. i. fol. 263.

* "Some time before the rebellion broke out," says Mr. Carte, "it was confidently reported, that Sir John Clothworthy, who well knew the designs of the faction that governed the house of commons in England, had declared there in a speech, that the conversion of the papists in Ireland, was only to be effected by the bible in one hand and the sword in the other; and Mr. Pym gave out, that they would not leave a priest in Ireland. To the like effect Sir William Parsons, out of a strange weakness, or detestable policy, positively asserted before many witnesses, at a public entertainment, that within a twelvemonth, no catholic should be seen in Ireland; he had sense enough to know the consequences that would naturally arise from such a declaration; which however, it might contribute to his own selfish views, he would hardly have ventured to make so openly, and without disguise, if it had not been agreeable to the politics and measures of the English faction, whose party he espoused, and whose directions were the general rule of his conduct." Orm. vol. i. fol. 235.

"It is evident," says Dr. Warner, "from the lord justices letter to the Earl of Leicester, then lord lieutenant, that they hoped for an extirpation, not of the meer Irish only, but of all the old English families also, that were Roman catholics." Hist. of the Irish Rebel.

C H A P. XII.

The catholic clergy of Ireland unjustly accused of stirring up the Irish to this insurrection.

THE Catholic clergy of Ireland, at this period, are commonly charged with filling the minds of their votaries with such pernicious maxims, civil and religious, as could not fail to incite them to the most traitorous and bloody attempts. "They had," says a modern historian, "that influence even over the gentry of their communion, with which they were invested by the tenets of their religion; the ignorant herd of papists they governed at their pleasure. They had received their education and imbibed their principles in the foreign seminaries of France and Spain; hence they returned to Ireland, bound solemnly to the pope in unlimited submission, without profession or bond of allegiance to the king. Full fraught with those absurd and pestilent doctrines, which the moderate of their own communion profess to abominate, of the universal monarchy of the pope, as well civil as spiritual, of his authority to excommunicate and depose princes, to absolve subjects from their oaths of allegiance, and to dispense with every law of God and man, to sanctify rebellion and murder, and even to change the very nature and essential difference of vice and virtue. And, with this, and other impious trumpery of schools and councils, these ecclesiastics filled their superstitious votaries."

Horrible, indeed, is this accusation; but fortunately for the kingdom, wherein such a clergy is still suffered to exist, it is as erroneously stated, as it is groundless in itself. Nor is the injustice done to this clergy, by such shocking imputations, greater than that done to Walsh himself, the Irish Franciscan, whose sole authority is quoted in support of them. For there is no mention made by that writer in the place referred to, of these impious tenets having been taught or maintained by any
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of the catholic clergy of Ireland, at or about the year 1641. All that appears there relative to these tenets, is an indirect and angry charge and inference, against such of Walsh's brethren, as had opposed his remonstrance of loyalty, which was not presented,² nor even thought of till more than twenty years after that period. Nay even there too, Walsh confesses that these tenets³ "were quite different from what the Roman catholics of England, Scotland, and Ireland, did believe;" and also affirms, "that many thousands of the most learned, most zealous and most godly Roman catholic prelates, doctors and priests, besides laymen, cried down these tenets, as not only false, impious, and heretical, but also as absolutely tyrannical and destructive of all government."

In order to explain this matter a little more fully, I must inform the reader, that in the year 1674, when Walsh's history of the remonstrance was first published, he had been provoked, by an excommunication newly denounced against him, to draw out this chain of blasphemous propositions, as the supposed consequences of the doctrine of the pope's deposing power; and in the bitterness of resentment, to charge them on some of his adverse catholic brethren, whom he either knew, or suspected to have been active in bringing that disgrace upon him. But that he was far from intending to charge such wicked principles upon the body of the catholic clergy of Ireland, incontestably appears, from his declaring in the very same place, (with regard to the doctrine of the pope's deposing power; and its supposed pernicious consequences),⁴ "that he did not at all doubt, but rather was certain, that there were more than five hundred priests, then in Ireland, who, if they were only permitted to live quietly there, would, by a public instrument signed under all their hands, declare amply, clearly, and heartily against the aforesaid doctrine, notwithstanding any declaration, precept or censure of the pope to the contrary."

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² See the dedication to the history of the Irish remonstrance, by Peter Walsh.

³ Ib.

⁴ Ib.

As for those seminaries of France and Spain, where this catholic clergy is said to have imbibed these pestilent doctrines, I could not discover any of them in the place cited; but, on the contrary, I there found the author reckoning up eight seminaries in France alone, viz. “those of Paris, Rheims, Caen, Thoulouse, Poitiers, Valance, Bourdeaux, and Bourges; together,” adds he, “with the seven remaining universities of that kingdom; which had, on different occasions, publicly condemned the pope’s deposing power, as false, contrary to the word of God, seditious and detestable.”

C H A P. XIII.

The same subject continued.

MR. Carte, who was no friend to the catholic clergy, and had better means of information than any other writer on this subject either before or since his time, has candidly owned,¹ “that although this conspiracy was imputed to Roman catholic priests, yet not above two or three of them appeared to know any thing of it.” Nay he even seemed to think, that had they all, to a man, afterwards concurred in it, they could not have been justly blamed on that account. For, not to mention the lords justices cruel injunctions to the officers of the army, to shew no mercy to that order of men (whom therefore, these officers promiscuously murdered, wherever they met them),² “the English house of commons gave them reason to apprehend every thing that is dreadful to human nature.”

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¹ Life of Ormond, vol. i.² Ib.

³ To this his majesty seems to have alluded, when he said, “and certainly ’tis thought by many wise men, that the preposterous rigour and unreasonable severity, which some men carried before them in England, was not the least incentive that kindled and blew into those horrid flames the sparks of discontent, which wanted
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They had caused the laws against recusants to be put in execution all over England; eight Roman catholic priests had been taken up in London, for saying mass: and the proof failing as to one, the other seven were condemned.^b The king, averse to the putting any man to death merely for religion, had reprieved them; the commons were offended at it, and made loud complaints on this subject against his majesty. Nothing would satisfy them, till the king had left them to their mercy, to order the execution whenever they saw fit. When men," proceeds Mr. Carte, "have every thing to dread in peace, and much to hope from a war, 'tis natural for them to chuse the latter, and use their utmost endeavours to make it successful. Nor is it any wonder, that those priests, in such a situation of affairs, should have recourse to arms, for the safety of their lives: and despairing of indulgence in quiet times, should seek in troublesome ones for an establishment, never to be obtained but by the prevailing force of an insurrection."

Mr. Goodman, one of the above-mentioned condemned priests, and who seems to have been particularly obnoxious to the parliament, made a voluntary offer of his life, as a sacrifice to the quiet of the king and kingdom, on that occasion; an instance of heroic loyalty, which can

not pre-disposed fuel for rebellion in Ireland; where despair being added to their former discontents, and the fears of utter extirpation to their wonted oppressions, it was easy to provoke them to open rebellion." Icon. Basilic.

^b "Besides, Richard Herft, Edmund Arrowsmith and others, put to death in 1628, merely for exercising the functions of Roman catholic priests; Thomas Bullaker, Thomas Holland, Paul Heath, Francis Bell, Rodolphus Colman, (condemned, but reprieved) Henry Morfe, — Morgan, Philip Powel, and Martin Woodcock, together with Reading and Whitaker, were executed in England for the same causes, between the years 1641 and 1646." "The condition of a missionary," says my author, "in the beginning of this reign was different from what it was at the latter end of it; when religious zeal against popery was heightened and inflamed with all the rage of faction. If a Turkish dervise had then preached Mahomet in England, he would have met much better treatment than a popish priest." Grainger's Biograph. Hist. of Engl. vol. ii. p. 206-7-8.

can hardly, I fear, be paralleled by any of his opposites of the same order; who, nevertheless, are but too apt to represent catholic priests as disloyal, through principle, to every protestant government. That extraordinary person petitioned the king, to order his execution, in the following words:

“Your majesty’s petitioner hath understood of a great discontent, in many of your majesty’s subjects, at the gracious mercy your majesty was freely pleased to shew unto your petitioner, by suspending the execution of the sentence of death pronounced against him. These are, therefore, humbly to beseech your majesty, rather to remit your petitioner to their mercies that are discontented, than to let him live the subject of so great a discontent in your people against your majesty; for it has pleased God, to give me grace to desire with the prophet, “that if this storm be raised for me, I may be cast into the sea, that others may avoid the tempest.” This is, most sacred sovereign, the petition of him who should esteem his blood well shed, to cement the breach between your majesty and your subjects.”

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C H A P.

“But he escaped,” says Mr. Hume, “with his life, rather because he was over-looked amidst affairs of greater consequence, than that such unrelenting severity would be softened by any consideration of his courage, or generosity.” *Hist. of Engl.*

“By an address from the English commons, all officers of the Roman catholic religion had been (in 1640) removed from the army, and application was made to the king for seizing two thirds of recusants lands; a proportion to which, by law, he was entitled, but which he had always allowed them to possess upon very easy compositions.—The severe and bloody laws against priests were insisted on.” *Id. ib. vol. iv. p. 399.*

C H A P. XIV.

Some misrepresentations concerning the beginning of the insurrection considered.

ON the 23d of October, 1641, ^a the lords justices declared by proclamation, ¹ “ that a discovery had been made of a most disloyal and detestable conspiracy, intended by some evil affected Irish papists, universally throughout the kingdom.” This unfair representation has been either ignorantly, or maliciously adopted by all the adverse writers on this subject. Sir John ^b Temple,

^c Temple’s History of the Irish Rebellion.

^a This day was commonly called Macguire’s day, because Lord Macguire was a principal leader in the insurrection which commenced on it ; and yet we find by the journals of the Irish commons, that one of the first private discoverers of it to Sir William Cole, was one Bryan Macguire, (probably his lordship’s relation) for which service, said Bryan’s grandson, Con-naght Macguire, in 1662, obtained a grant of his grandfather’s estate.” See Com. Jour. vol. ii. fol. 163.

^b A specimen of this historian’s veracity may be seen in a charge brought against him and some others of the Irish privy council of the same faction, in the year 1643, viz. “ that the said Sir John Temple did, in the month of May last, write two traitorous and scandalous letters against his majesty, which letters have been since read at the close committee, and use made of them to cast false aspersions on his majesty, as fomenting and favouring the rebels in Ireland.” Carte’s Collect. of Orm. Orig. Pap. p. 207.

“ It is notorious,” says Dr. Nalson, “ that Sir John Temple, in writing his history of this rebellion, was bound by confederacy, to assert the proceedings of these lords justices; and I cannot find him highly in reputation with the usurpers of the parliamentary faction, and by them impowered as commissioner to impose upon the protestant subjects of Ireland that traitorous, disloyal, and solemn league and covenant, which was a direct oath of confederacy not only against, but purposely to ruin and destroy the king, the church and the loyal party ; I cannot observe his book to be printed at London in 1646, by public allowance, a time when

ple, out of his abundant malice to these people, has so notably improved upon it, as to affirm,² "that on the 23d of October aforesaid, an universal defection and general revolt broke out; wherein, not only all the mere Irish, but almost all the old English, that adhered to the church of Rome, were totally involved." And Mr. Hume, in a warm fit of declamation, confidently asserts,³ "that from Ulster, the flames of this rebellion diffused themselves, in an instant, over the three other provinces."

The above-mentioned proclamation gave a just alarm to the catholic nobility and gentry of the kingdom; who knew themselves to be perfectly innocent, and entirely unconscious, of any such conspiracy. The Earl of Clanrickard, who had arrived in Ireland some short time before, tells us, that he⁴ "was, at first, on a sudden surprised with the fatal news of a desperate rebellion in the North, and a rumour of a general combination and conspiracy all over the kingdom. But we begin," adds his lordship, "to recover our wits, scared away by the first reports; and do discern, that none appears in this detestable conspiracy, or enters into action, but the remains of the antient Irish rebels in the North, and some of the planted county of Leitrim." "

In

² Temple's History of the Irish Rebellion. ³ Hist. of England, Dub. ed. vol. iv. p. 15. ⁴ Memoirs, Engl. ed. fol. 63.

when no books were licensed but such as made court to the prevailing faction of the usurpers, or which might be helpful to support their calumnies against his majesty, especially as to the Irish rebellion, without too just a suspicion of his integrity." Introduction to the second vol. of his Historic. Collec.

"The northern plantations (says Dr. Leland) could not but be offensive to the old Irish; and those among them that submitted, and accepted their portion of lands, complained that in many instances they had been scandalously defrauded. The revival of obsolete claims of the crown, harassing of proprietors by fictions of law, dispossessing them by fraud and circumvention, and all the various artifices of interested agents, and ministers, were naturally irritating. And the public discontents must have

In two or three days after the issuing of this proclamation, the lords and gentlemen of the pale,³ “doubting,” says Temple, “that by those general words of Irish papists, they might seem to be involved,” preferred a petition to the lords justices and council, in behalf of themselves, and other old English of the kingdom; whereupon the justices, on the 29th of the same month, thought fit to send forth another proclamation, in which⁴ “they declared, and published, to all his majesty’s good subjects, that by the words “Irish papists,” they intended only such of the old mere Irish, in the province of Ulster, as had plotted, contrived, and been actors in that treason, and others that adhered to them; and none of the old English of the pale, or other parts of the kingdom.”

And although their lordships, in this proclamation of the 29th of October, did “enjoin all his majesty’s subjects, whether protestants, or papists, to forbear upbraiding matter of religion on this occasion; yet certain it is, that all our adverse historians, preachers, and libellers, from that time to the present, seem to have thought themselves indispensably obliged, not only to upbraid matter of religion as the chief incentive to this insurrection, but also to represent the insurrection itself as universal all over the kingdom, on the first day or two after its eruption.⁴

These,

³ Irish Rebellion.

⁴ Id. ib.

have been further inflamed by the insincerity of Charles, in evading the confirmation of his graces; the insolence of Strafford in openly refusing it, together with the nature and manner of his proceedings with the proprietors of Connaught.” *Hist. of Irel.* vol. iii. p. 89.

⁴ The account left us by Sir John Temple, an interested contemporary writer, of the first rise, progress, and mischiefs of this insurrection, which all subsequent writers on the subject have servilely copied, is horribly fraught with notorious untruth and calumny. “The defection,” says he, “was universal, and the revolt general; wherein not only all the mere Irish, but almost all the old English, that adhered to the church of Rome, were totally involved. It was,” adds he, “so execrable in itself, so
odious

These, and other misrepresentations, were no sooner devised, than transmitted to the Earl of Leicester, lord lieutenant in England; where they acquired still greater and more extensive credit. Never, indeed, were fiction and calumny introduced to public notice with more pomp and dignity than they seem to have been upon that occasion.

“ For ⁷ the Earl of Leicester, having received intelligence of this insurrection by the lords justices letter of the 25th of October, 1641, repaired, on the first of the following month, to the house of commons then sitting; whither he was accompanied by the lord keeper of the great seal of England, the lord privy seal, the lord high chamberlain, the lord admiral, Earl March, lord chamberlain, Earl of Bath, Earl of Dorset, Earl of Holland, Earl of Berkshire, Lord Viscount Say and Seal, Lord Goring, and Lord Wilmot, in grand procession; when his excellency communicated the papers and letters, sent by the lords justices, and told them that he had information of shedding much blood of the protestants of Ireland, and that some of the rebels confessed, that all the protestants were to be cut off; and that they were not to leave any British men, women, or children alive: that the time for putting this bloody design in execution, was upon Saturday the 23d of October, a day dedicated to St. Ignatius,

⁷ Warner's Irish Rebel. from Rushworth's collection.

odious to God, and the whole world, that no age, no kingdom, no people can parallel, the horrid cruelty and abominable murders that were then committed upon the protestant British inhabitants throughout the land, of what age, of what quality or condition soever they were.” Hist. of Irish Rebel.

* The truth of this relation is the more to be depended upon, as Rushworth wrote under the influence of such as could not bear the truth if against them. “ Rushworth's compilation was carried on under the eye, and submitted to the correction of Cromwell; hence it is, that he has omitted whatever could give offence, and inserted whatever he thought would be agreeable to his patron.” Grainger's Hist. Biograph. vol. iv. p. 65.

Ignatius,^f the founder of the Jesuits; and in short, that their design was to kill the lords justices and all the king's privy-council. The like information was given by the lord keeper, and other lords, and in the same solemn manner, to the house of lords.

The falsehood of this representation, with respect to the design of these insurgents, is so very notorious, that even a writer otherwise highly prejudiced against them, could not pass it over uncensured. "Both the lord keeper in the house of lords, and the lord lieutenant in the house of commons," says Dr. Warner,^g "did exceed the informations that had been given, either in the letters, or in the examinations transmitted over. No historian," adds he, "hath taken notice of this falsification; and yet one cannot believe that it was owing in both these lords to accident or mistake. The lord keeper hath said, that the rebels had committed divers murders; and the lord lieutenant, besides affirming that they had information of shedding much blood of the protestants there, added moreover, that the design of the rebels was to kill the lords justices, and all the king's privy-council; whereas neither in the letters, nor the examinations, is there a single word of any murder being committed; nor was there the least thought among the conspirators, for any thing that appears, of killing, particularly the lords justices and the king's privy council. And the council in their letters, after having given an account of several robberies, burning of houses and villages, and seizing some forts and castles, expressly say, and this though too much, is all that we yet hear is done by them." ^h

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ⁱ Hist. of the Irish Rebel.

^f This, like many other circumstances of this pompous tale, is a well-known falsehood: for St. Ignatius's festival is kept on the 31st of July.

^g "Whatever cruelties (says Doctor Warner) are to be charged upon the Irish in the prosecution of their undertaking, yet their first intention, we see, went no further than to strip the English and the protestants of their power and possessions, and unless forced to it by opposition, not to shed any blood." Hist. of the Irish Rebel. p. 47. See p. 28.

It is worthy of notice, that about this time, viz. before the end of October, 1641, Temple himself confesses, "that the rebels had got possession of all the towns, forts, castles, and gentlemens houses within the counties of Tyrone, Donegal, Fermanagh, Armagh, Cavan, Londonderry, Monaghan, and half the county of Down; except the cities of Londonderry and Coleraine, the town and castle of Enniskillen, and some other places and castles. And that besides the above mentioned, these rebels had taken a multitude of other castles, houses of strength, towns and villages, all abundantly peopled with British inhabitants." ⁹ Yet in none of those places does it appear, from Temple's account, that any massacre or murder was committed by the insurgents within that space of time.^b

There is but little wonder, that so shocking a calumny, thus solemnly delivered, by persons of honour, to an august assembly, should make a general and lasting impression on a credulous and prejudiced people; but the reader will please to reflect, that if so many persons of the first quality, living at a distance from the danger and mischiefs of this insurrection, and therefore, influenced by fear or revenge, could, for their own evil purposes,¹ circulate such horrid falsehoods concerning it,

⁹ Hist. of the Irish Rebel. p. 34.

^b The true reason that these places were so easily taken by the insurgents, is thus set forth in the remonstrance of the lords and gentry of the pale. "Your majesty's old standing army here, which was appointed to keep the garrison-towns of this land, and in your forts and castles here, which receives yearly large entertainment from your highness, hath been hitherto an army in name only, and not in substance, and was not visible in them towns and forts, through the neglect and corruption of your governors and state here, whereby the army of Ulster did surprize most of the forts and castles in that province without resistance, and expelled thence most of the British inhabitants." Desid. Curios. Hibern. vol. ii. p. 106.

¹ "The Irish rebellion," says Sir Edward Walker, "did fortify the designs in England, which then wanted matter to work upon. The parliament raised money for this war, and employed it in their own; and scandalized his majesty, as not zealous in

it, how little stress ought to be laid on the evidence, or testimonies of some of the meanest of the adverse party at home, who were either exasperated by the injuries they themselves had suffered, or scared out of their wits by the shocking stories they had heard of those committed on others, when they were called upon to give such evidence. And yet, the testimony of persons so prejudiced, and otherwise unduly influenced, is the principal, if not only foundation, on which the belief of the Irish massacre has hitherto rested, and has so generally, not to say uncontrovertably, prevailed.

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in the suppression of it : though to shew his odium of this rebellion, he proposed the going thither himself to suppress it ; but his proposal was ill taken by the commons, as fearing the rebels might submit to his majesty, and so become his, in opposition to their designs." *Hist. Discours.* fol. 231.

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C H A P. I.

The main design of the insurgents not general or pre-meditated.

IN order to set this tragical part of the history of Ireland in a true light, it is necessary to distinguish two insurrections, differing not so much in their causes as their times. The first is that mentioned in the lord justices proclamation of the 29th October, 1641, of some of the mere old Irish only in the province of Ulster. The other is that general defection, which happened some months after, in the other provinces; and was occasioned by a continuation and increase of those grievances and oppressions, which had produced the first. We will begin with the insurrection in Ulster, which Sir John Temple,¹ and his numerous copiers,

¹ History of the Irish Rebel.

² This gentleman published his History of the Irish Rebellion

copiers, have represented as an horrible enterprise, long before concerted and resolved upon, by the generality of the catholics of Ireland. But in this particular, and in truth in most others, that writer has sufficiently confuted himself; for he informs us, that several of the chiefs of these Ulster insurgents, instead of providing men, arms and other requisites for the execution of such a design, did on the contrary, but a short time before their rising, take such measures as had a manifest tendency to prevent its success.^b For he tells us,² “ that Sir Phelim O’Neil, and many others of the prime

* Hist. of the Irish Rebel. p. 14.

lion in the year 1646, by the direction of the parliament-party, which then prevailed, and to which, tho’ long before in actual rebellion, he was always attached. The falsehoods it contains are so glaring and numerous, that even the government, in the year 1674, seems to have been offended at, and himself ashamed of, the re-publication of it. This we gather from a letter of Capel Earl of Essex, then lord lieutenant of Ireland, to Mr. Secretary Coventry, of that date, wherein we find these words: “ I am to acknowledge yours of the 22d of December, in which you mention a book that was newly published, concerning the cruelties committed in Ireland, at the beginning of the late war. Upon further enquiry I find Sir J. Temple, master of the rolls here (Ireland), author of that book, was, this last year, sent to by several stationers of London, to have his consent to the printing thereof; but he assures me, that he utterly denied it, and whoever printed it, did it without his knowledge. Thus much I thought fit to add to what I formerly said upon this occasion, that I might do this gentleman right, in case it were suspected, he had any share in publishing this new edition.” State Let. Dub. ed. p. 2. His lordship was at this time soliciting a grant of three (he would have it five) hundred pounds a year, on the forfeited estates, for Sir John Temple, which he at last obtained, (see these letters); and the ministry seems to have made this re-publication of his history an objection, which his lordship thus endeavours to remove.

^b “ The difficulty which Moore found to prevail on the Ulster-Irish (to rise), shews there was no long-meditated scheme of rebellion even among them.”

“ Roger Moore’s ancestors, in the reign of Mary, had been expelled from their princely possessions by violence and fraud; and

prime leaders in this rebellion, did, not long before it broke out, turn their Irish tenants off their lands, even to starve upon the mountains; while they took in English, who were able to give them much greater rents, and more certainly pay the same." He has also informed us,³ "that these rebels, at their first rising out, had not many better weapons than staves, scythes and pitchforks;" an indication surely, rather of a sudden unpremeditated eruption and tumult, than of any settled scheme of conspiracy or rebellion.⁶

Nay, some weeks after their first rising, such of these insurgents as appeared to the Earl of Ormond, seemed to him,⁴ "rather to be a tumultuous rabble, than any thing like a disciplined army;" and his lordship was of opinion, that⁵ "there were as many arms, within a few, in the hands of six hundred of the king's forces, as there were among all the rebels then in the kingdom."

But what puts this matter beyond all dispute is,⁶ "that the army of eight thousand foot, and one thousand horse (seven-eighths of which were Roman catholics) that had been raised, two years before, by the Earl of Strafford, was, in June 1641, entirely dissolved, without any inconvenience or disorder in the nation at that time."

"The complaints of grievances made by the Roman catholic members," says Mr. Carte,⁷ "in the Irish house

³ Ib. p. 79. ⁴ Carte's Ormond, vol. iii.

⁵ Ib. ⁶ Ib. vol. i. ⁷ Ib. fol. 152.

and their sept harassed and almost extirpated by military executions. His own indigence, and the mortifying view of what he called his rightful inheritance, possessed by strangers, rioting in the spoils of his family," spirited him up to this rebellion. See *Lel. Hist. of Ireland*, vol. iii. p. 93.

"Lord Macguire, in his confession, avers, that it was in May 1641, that he first heard the motion from Sir James Dillon, of taking the castle of Dublin." See *Borl. Hist. of the Irish Rebel*. fol. 34.

^c "The first insurgents (in Ulster), though without arms or ammunition, got possession of most part of the kingdom." *Borl. Irish Rebel*. fol. 251.

house of commons, in summer 1641, have been insisted upon, as a proof of their intention to raise a rebellion at that juncture: but, by all the observations I have been able to make, I do not find that there was any formed design of the body of the Roman catholic party in that parliament, for an affair of that nature. The compiler of the Nuncio's memoirs," adds the same author," " (a fair writer, whatever his principles were, and who, on all occasions, seems to be well acquainted with his subject, and to write what he believed to be true,) says, " that the English-Irish of four hundred years standing, especially those of the English pale, were extremely averse to the rebellion, and offered their service very sincerely to the state against the rebels; remembering their own origin, and chusing to adhere to the English government, which they were apprehensive would be thrown off by the natives." To which reason he adds another, drawn from the nature of their estates, a considerable part of which was churchlands, which, he says, they were afraid of losing, if the old Irish got the power of the nation into their hands."

C H A P. II.

The first causes of the insurrection of 1641 in Ulster.

MEN, whose minds are exasperated by the remembrance of former injuries (which was peculiarly the case of the Ulster gentry,* on account of the seizure of
of

* Carte's Orm. vol. i. fol. 256. Nunc. Mem. p. 392.

" " The native Irish being well informed, as they thought (in 1641), that they now must either turn protestants, or depart the kingdom, or be hanged at their own doors; they betook to arms in their own defence, especially in Ulster, where the six counties had been forfeited." Dr. Anderson's Royal Genealogies, p. 786.

of the six counties before-mentioned) are often suddenly provoked to commit acts of violence, by a slight or inadequate cause; but the immediate incentive to the insurrection of these northerners was far from being such; it was nothing less, than a well-grounded fear of an intended extirpation of their religion or persons. The petitions already mentioned, which were calculated for that end, seem principally to have been levelled at them; ^b and probably received most furtherance from their malevolent neighbours, the puritan Scots. Nor will this in the least seem strange, if it be considered, that the dissenters in that province were audacious enough, about the same time, to address a petition to the English house of commons, ^c “signed by many thousands in the county of Down, Tirone and others, against episcopacy, and the established religion itself.” ^c

In

^a See Pryn's Antipathy to Bishops, part ii. p. 369.

“No great difficulty was apprehended in gaining the leaders of the Ulster Irish, who had been so severely chastised by the arms of Elizabeth, and so grievously despoiled by the plantations of James.” *Lel. Hist. of Ireland*, vol. iii. p. 95.

^b In the humble remonstrance of the northern nobility and gentry to the king, there is the following passage: “There was a petition framed by the puritans of this kingdom of Ireland, subscribed by the hands of many hundreds of them, and preferred to the house of commons of the now parliament of England, for suppressing our religion, and us the professors thereof residing within this kingdom of Ireland; which, as we are credibly informed, was condescended unto by both houses of parliament there, and undertaken to be accomplished to their full desires, and that without the privy or allowance of your majesty.” *Desid. Curiosa Hib.* vol. ii. p. 86.

^c Extract of the examination of Dr. Robert Maxwell, afterwards bishop of Kilmore:

“——— And further deposeth, that he, this deponent, asked many, both their (the rebels) commanders and friars, what chiefly moved them to take up arms? They said, why may not we as well, and better, fight for religion, which is the substance, than the Scots did for ceremonies, which are but shadows? and that Lord Strafford's government was intolerable. The deponent answered, that that government, how insupportable

able

In that petition they complain, "that the most learned, and seemingly moderate and pious prelates, did publicly in sermons at Dublin, exclaim against and condemn the Scottish covenant, and the religion professed in Scotland; and therefore they most humbly pray, that that unlawful hierarchical government, with all its appendixes, may be utterly extirpated."

These incentives to the insurrection in Ulster are chiefly insisted upon in that impartial remonstrance of grievances from Cavan, which was drawn up by Bishop Bedel,² a prelate too wise to be imposed upon,^d and too just and resolute to advance any facts in excuse of these insurgents, of the truth of which he was not very certain. As Bishop Burnet, in his life, owns that this remonstrance gives the best colours to their proceedings of any of all their papers, that he ever saw, I will here transcribe it entire from that bishop's copy.

"To the right honourable the justices and council, the humble remonstrance of the gentry and commonalty of the county of Cavan, of their grievances, common with other parts of this kingdom of Ireland :

"WHEREAS we, his majesty's loyal subjects of his highness's kingdom of Ireland, have, of long time, groaned under many grievances and pressures, occasioned

² Burnet's Life of Bedel.

able soever, was indifferent, and lay no heavier upon them than the British protestants. They replied, that the deponent and the rest of the British, were no considerable part of the kingdom; and that over and above all this, they were certainly informed, that the parliament of England had a plot to bring all to church, or cut off all papists in the king's dominions; in England, by the English protestants or (as they called them) puritans; and in Ireland by the Scots." Borl. Hist. of the Irish Rebell. fol. 408.

^d The character given to this prelate by Borlase is, "one of the brightest lights of the Irish church, both for learning and a shining conversation; and in his constant diligence in the work of the ministry a pattern to others." Irish Rebellion, f. 48.

sioned by the rigorous government of such placed over us, as respected more the advancement of their own private fortunes, than the honour of his majesty, or the welfare of his subjects; whereof we, in humble manner, declared ourselves to his highness, by our agents, sent from the parliament, the representative body of the kingdom; notwithstanding which, we find ourselves of late threatened with far greater and more grievous vexations, either with captivity of our consciences, or utter expulsion from our native seats, without any just grounds given on our parts, to alter his majesty's goodness, so long continued to us. Of all which we find great cause of fears in the proceedings of our neighbour nations; and do see it already attempted by certain petitioners, for the like course to be taken in this kingdom, for the effecting thereof, in a compulsory way; so as rumours have caused fears of invasion from other parts, to the dissolving of the bond of mutual agreement, which hitherto hath been held inviolable, between the several subjects of this kingdom, and whereby all his majesty's other dominions have been linked in one. For the preventing therefore of such evils growing upon us in this kingdom, we have, for the preservation of his majesty's honour, and our own liberties, thought fit to take into our hands, for his highness's use and service, such forts and other places of strength, as coming into the possession of others, might prove disadvantageous, and tend to the utter undoing of the kingdom; and we do hereby declare, that herein we harbour not the least thought of disloyalty towards his majesty; or purpose any hurt to his highness's subjects, in their possessions, goods, or liberty; only we desire, that your lordships will be pleased to make remonstrances to his majesty for us, of all our grievances and just fears, that they may be removed, and such a course settled by the advice of the parliament of Ireland, whereby the liberty of our consciences may be secured unto us, and we eased of other burdens in civil government. As for the mischiefs and inconveniences that have already happened, through the disorder of the common sort of

people, against the English inhabitants, or any others, we, with the nobility and gentlemen, and such others of the several counties of this kingdom, are most willing and ready to use our, and their, best endeavours in causing restitution and satisfaction to be made, as in part we have already done.

“ An answer hereunto is most humbly desired, with such present expedition as may, by your lordships, be thought most convenient, for avoiding the inconvenience of the barbarousness and incivility of the commonalty, who have committed many outrages, without any order, consenting, or privity of ours. All which we leave to your lordships wisdom, and shall humbly pray, &c.”

On the 10th November 1641, the O'Farrells of the neighbouring county of Longford, sent up also to the lords justices, a remonstrance of their grievances; which was of much the same tenor with that from Cavan, intreating redress in a parliamentary way. “ These gentlemen,” says Mr. Carte,³ “ had deserved well of the crown, and were on that account particularly provided for by king James, in his instructions for planting of that country. But the commissioners appointed for the distribution of the lands, more greedy of their own private profit, than tender of the king's honour, or the rights of the subject, took little care to observe these instructions; and the O'Farrells were generally great sufferers by the plantations.” Several persons were turned out of large estates of profitable land, and had only a small pittance, less than a fourth part, assigned them for it in barren ground. Twenty-four proprietors, most of them O'Farrells, were dispossessed of their all; and nothing allotted them for compensation.

³ Life of Orm. vol. i.

⁴ “ In a manuscript of Bishop Stearne, we find that in the small county of Longford, twenty-five of one sept were all deprived of their estates, without the least compensation, or any means of subsistence assigned to them.” *Lel. Hist. of Irel.* vol. ii. p. 467.

compensation. They had complained, in vain, of this undeserved usage many years; and having now an opportunity afforded them of redress, by the insurrection of their neighbours, had readily embraced it, and followed their example (for it does not appear that any of them were antecedently concerned in the conspiracy), as they likewise did, in laying before the lords justices, a remonstrance of their grievances, and a petition for redress; which, like that from Cavan,⁴ came to nothing."

C H * A P. III.

The massacre in Island-Magee.

"**T**HE report that his majesty's protestant subjects first fell upon, and murdered the Roman catholics, got credit and reputation, and was openly and frequently asserted," says Jones, bishop of Meath,¹ in a letter to Dr. Borlase, in 1679. And Sir Audley Merwin, speaker of the house of commons,² in a public speech to the Duke of Ormond in 1662, confesses, "that several pamphlets then swarmed to fasten the rise of this rebellion upon the protestants; and that they drew the first blood." And, indeed, whatever cruelties may be charged upon the Irish in the prosecution of this war, "their first intention, we see," says another protestant voucher,³ "went no further than to strip the English and the protestants of their power and possessions, and, unless forced to it by opposition, not shed any blood." Even Temple confesses the same;⁴ for mentioning what mischiefs were done in the beginning of this insurrection, "certainly," says he, "that which these rebels mainly intended at first,

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and

⁴ Bishop Burnet's Life of Bishop Bedel.

¹ See Preface to Borlase's Hist. of the Irish Rebellion.

² Com. Jour. vol. i. f. 258.

³ Dr. Warner's Hist. Irish Reb. p. 47. Temp. Ir. Reb.

⁴ Hist. of the Irish Rebellion.

that this massacre was perpetrated on those harmless people, in revenge of some cruelties before committed by the rebels on the Scots in other parts of Ulster. But as I find this controversy has been already taken up by two able protestant historians, who seem to differ about the time in which that dismal event happened, perhaps, by laying before the reader the accounts of both, with such animadversions, as naturally arise from them, that time may be more clearly and positively ascertained.

A late learned and ingenious author of an history of Ireland, has shifted off this shocking incident from November 1641, (in which month, it has been generally placed) to January following, many weeks after horrible cruelties (as he tells us) had been committed by the insurgents on the Scots in the North." "The Scottish soldiers," says he, "who had reinforced the garrison of Carrickfergus, were possessed of an habitual hatred of popery, and enflamed to an implacable detestation of the Irish, by multiplied accounts of their cruelties. In one fatal night, they issued from Carrickfergus into an adjacent district called Island-Magee, where a number of the poorer Irish resided, unoffending and untainted with the rebellion. If we may believe one of the leaders of this party, thirty families were assailed by them in their beds, and massacred with calm and deliberate cruelty. As if," proceeds the historian, "the incident were not sufficiently hideous, popish writers have represented it with shocking aggravation. They make the number of the slaughtered, in a small and thinly inhabited neck of land, to amount to three thousand, a wildness and absurdity, into which other writers of such transactions have been betrayed; they assert, that this butchery was committed in the beginning of November, 1641, that it was the first massacre committed in Ulster, and the great provocation to all the outrages of the Irish in this quarter. Mr. Carte seems to favour this assertion: had he carefully perused the collection of original depositions, now in the possession of the university of Dublin, he would have found his doubts of facts, and dates cleared most satisfactorily;

rily; and that the massacre of Island-Magee, as appears from several unsuspicious evidences, was really committed in the beginning of January, when the followers of O'Nial^b had almost exhausted their barbarous malice."

Before

^b Sir Phelim O'Nial. This assertion has no other foundation but the depositions now in the possession of the university of Dublin; what credit is due to these, we shall just now see; but if any regard at all is to be had to such of them as have been carefully selected from the rest, and published by Temple and Borlase, in their histories of this rebellion, we shall find some of them vouching the contrary of this relation, viz. that Sir Phelim O'Nial did not order the cruelties he is charged with ordering, till many weeks after January, 1641. For by Captain Parkin's examination, "Sir Phelim began his massacres after his flight from Dundalk." Temple Irish Rebel. p. 85.

Now his flight from Dundalk did not happen till about the latter end of March following. Carte's Orm. vol. i. fol. 288.

Sir Henry Tichbourne's history of the siege of Drogheda, Mr. Carte, and most other adverse writers agree, "that it was Sir Phelim O'Nial that first began and encouraged these imputed massacres." Cart. ib. fol. 176.

And Temple himself owns it, "to be a truth, that those British whom the rebels suffered to live among them, and such as they kept in prison, were not put to the sword by the Irish, until, in their several encounters they had with his majesty's forces, they suffered loss of their men, and so were enraged." Ib. p. 126.

Sir Henry Tichbourne, who had the chief command in that driving of O'Nial from Dundalk, performed that service, and afterwards pursued it with such an amazing slaughter of the Irish, in them parts, that he himself boasts that for some weeks after, "there was neither man nor beast to be found in sixteen miles, between the two towns of Drogheda and Dundalk; nor on the other side of Dundalk, in the county of Monaghan, nearer than Carrickmacross, a strong pile twelve miles distant." Ib.

It is, therefore, not strange, though absolutely inexcusable, if this incensed leader, or rather his savage followers, should be provoked to retaliate, in some measure, such cruelty and destruction on the unhappy English, whom they had in their power. Sir Phelim himself, in his last moments, declared, "that the several outrages committed by his officers and soldiers, in that war, contrary to his intention, then pressed his conscience very much." Dean Ker's testimony. Nelson's Hist. Collect.

Before I examine the several particulars of the foregoing account, I must observe, that the objection taken from the smallness of the place, as if it were incapable of containing three thousand inhabitants, is grounded on a misapprehension of some circumstances in this event. For the Irish that were destroyed, consisted not only of the inhabitants of the place, but also, and for the greatest part, of the country people residing in its neighbourhood; who, upon the ¹² invitation of Colonel Chichester and Sir Arthur Tyrningham, had fled to Carrickfergus for protection, on the first eruption of these tumults. "The town of Carrickfergus," says Mr. Carte,¹³ "was then the place of the greatest strength in the North; and as Colonel Chichester and Sir Arthur Tyrningham had, on the evening of the 23d of October, received intelligence of the insurrection, they immediately, by beat of drum and kindling of fires, apprised all the country people round them of their danger; so that the poor country people, who had not yet stirred, flocked to that place continually, with all they could carry of their substance; (another temptation to commit the massacre) in such multitudes of men, women, and children, that the town was overthronged." ¹⁴ The same author also informs us, "that Colonel Chichester and Sir Arthur Tyrningham, invited several of the most eminent of the Irish thereabouts, who yet remained quiet in their houses, to come to Carrickfergus for security; who accordingly went thither, but were made prisoners on their arrival."

And because it is allowed, that Mr. Carte seems to favour the assertion, "that near three thousand innocent Irish were massacred in Island-Magee, in the beginning of November, 1641," it is but just to produce the reasons which appear to have inclined him

¹² Cart. Orm. vol. i.¹³ Ib.¹⁴ Ib.

"Dublin, Cork, Youghall, Kinsale, Londonderry, Colerain, and Carrickfergus, (says Temple, upon the first breaking out of this insurrection) were overpestered with multitudes that flocked to them for safety." Irish Rebel. p. 175.

him to that way of thinking, by inserting the passage at large, wherein they are contained.

“ On the 15th of November,” says that well informed writer,¹⁵ “ the rebels, after a fortnight’s siege, reduced the castle of Lurgan; Sir William Bromlow, after a stout defence, surrendering it on the terms of marching out with his family and goods: but such was the unworthy disposition of the rebels, that they kept him, his lady, and children, prisoners; rifled his house, plundered, stripped, and killed most of his servants; and treated all the townsmen in the same manner. This,” adds he, “ was the first breach of faith, which the rebels were guilty of in these parts (there was then no other insurrection in any of the other parts of Ireland) in regard of articles of capitulation; for when Mr. Conway, on November the 5th, surrendered his castle of Bally-aghie, in the county of Derry, to them, they kept the terms for which he stipulated, and allowed him to march out with his men, and to carry away trunks with plate and money in them. Whether,” proceeds Mr. Carte, “ the slaughter made by a party from Carrickfergus, in the territory of Magee, a long narrow island, in which it is affirmed, that near three thousand harmless Irish, men, women and children, were cruelly massacred, happened before the surrender of Lurgan, is hard to be determined; the relations published of facts, in those times, being very indistinct, and uncertain, with regard to the time they were committed; though it is confidently asserted, that the said massacre happened in this month of November.”

Let us now try these different accounts by the only sure test of dates and facts. It is confessed on all hands, that the chiefs of the insurgents, through fear of the Scots in Ulster,¹⁶ (“ who,” as the Earl of Clanrickard informs us, “ were forty thousand well armed men, when the rebellion commenced;” at the same time, that the rebels were at least, by half less numerous, and furnished with few better weapons than, “¹⁷ staves, scythes, and pitchforks,”) published a¹⁸ proclamation,

¹⁵ Cart. Orm. vol. i.

¹⁶ Ib. vol. iii. fol. 77.

¹⁷ Templ. Irish Rebel. p. 79.

¹⁸ Cart. Orm.

clamation, "forbidding their followers, on pain of death, to molest any of the Scottish nation, in body or goods." Temple acknowledges, that this proclamation, "was for a time observed;" and from Mr. Wallbank's report, already mentioned to the house of commons, of the constant success of his majesty's forces in defeating the insurgents in different parts of Ulster, from the 23d of October to the 16th of November following, we may reasonably suppose, that it was at least observed till that day; for it is surely in the highest degree improbable, that these chiefs would, at any time before, have wantonly provoked the resentment of so formidable a body of men, by any cruel outrage or hostile act. But it is unquestionably evident, that the Scots in Ulster did some remarkable execution on the Irish, several days before the 15th of November, the day on which Lurgan was surrendered. For Sir William Parsons, in a letter from Dublin, of the 13th of that month, to the Earl of Clanrickard, acquaints him, as with a welcome piece of news,²⁰ "that the Scots did hold the northern Irish hard to it, having killed some of them." And Sir William St. Leger,^d grudging, as it were, the Scots the honour of that action, told the Earl of Ormond, on the 14th, "that had it pleased God that his lordship had been there with his hundred horse, and himself to wait upon him, the Scots should never have had the honour to put such an obligation on Ireland."

From

¹⁹ Hist. Irish Rebel.

²⁰ Cart. Orm. vol. iii.

^d This gentleman, who was lord president of Munster, seems to have been very well qualified for acquiring such honour. For Lord Upper Ossory, in a letter to the Earl of Ormond about this time, informs him, "that he was so cruel and merciless, that he caused men and women to be most execrably executed; and that he ordered, among others, a woman great with child to be ript up, from whose womb three babes were taken out, through every of whose bodies, his soldiers thrust their weapons; which act (adds his lordship) puts many into a sort of desperation." Cart. Orm. vol. iii. fol. 51.

^e In the course of the lord justices letters to the Earl of Clanrickard,

From hence, I think, may fairly be deduced the only reason, why the behaviour of the insurgents to Sir William Bromlow, on the 15th of November, was so very different from that which they had before shewn to Mr. Conway, on the 5th of the same month, viz. because the massacre in question was perpetrated on their innocent unoffending people, in that interval of time; which, no doubt, provoked them to the above-mentioned breach of articles at the surrender of Lurgan, and to several other acts of injustice and cruelty in the prosecution of this war.

The deduction now made is so agreeable to dates and facts, that I am surprised to find this first breach of articles by the insurgents, ascribed to any other cause; especially to one, which appears manifestly repugnant to both. This cause, we are informed, was the repulse, defeat, and slaughter of a considerable body of the rebels at the siege of Lisburn, by a Scottish garrison stationed there; for thus the before-cited history relates the immediate effects, which that disaster produced in these rebels. “But” such success
(of

²⁰ *Lel. Hist. Irel. vol. iii.*

rickard, from October 26th, 1641, to the 5th of the following month, there is no mention made of any murders having been committed by the insurgents on the English. But in the postscript of the letter of the 5th of November, they expressly say, “we have intelligence that five thousand Scots have risen in arms against the rebels, and those Scots lie now at Newry, where they have slain many of the rebels.” *Clanrick. Mem. fol. 11. Engl. ed.*

Lord Clanrickard in his account of the progress of this insurrection in Connaught, to January 18th 1641, mentions not a syllable of murders committed by the insurgents, but of spoils, preys, and the like. In his letter of the 20th of that month to the Earl of Essex, he says, “an archbishop, bishop, and many of the clergy, are in the town of Galway inclined to go for England by sea, for fear of the people, not so much for religion, as their great extortions upon them; this being a time to be mindful of former injuries; and, to speak the truth, I believe the greediness of some of them, and reports out of England, hath drawn much prejudice on the other English inhabitants of this kingdom. It is now told me they make orders among themselves, to relieve and preserve English tradesmen.” *Mem. Engl. ed. fol. 59.*

(of the Scots) was attended with consequences truly horrible; the Irish incensed at resistance, carried on their hostilities without faith or humanity. Lurgan was surrendered by Sir William Bromlow, on terms of security to the inhabitants, and permission of marching out with his family, goods and retinue; but all was instantly seized, and the whole town given up to plunder." Thus have we a cause plausibly assigned, which did not exist until many days after its supposed effect was produced. For the defeat and slaughter of the rebels at Lisburn, or, as it was then called, Lisnegarvy, did not happen, according to Borlase, till the 28th of November;²¹ but Lurgan, as we have seen, was surrendered to them, on the 15th of that month, thirteen days before.

Let us now see upon what grounds this massacre in Island-Magee is transferred, from November 1641, to the beginning of January following. One would expect to find an assertion so singular supported by some solid, or at least plausible proof; but instead of meeting with any such, in the place before quoted from this history, we are only there directed to look out for it (where certainly it never can be found) in the collection of original manuscript depositions, now in the possession of the university of Dublin. But we shall presently demonstrate the insufficiency, not to say futility, of proofs drawn from these depositions. And, in truth, if they were to be admitted as proofs, or evidence in any degree, there is hardly any thing so incredible or absurd, that might not with equal reason, be obtruded upon us for genuine history.²² Every suggestion of phrenzy and melancholy; miraculous escapes from death, visions of spirits chaunting hymns; ghosts rising from rivers, brandishing swords, and shrieking revenge,"

²¹ Hist. of the Irish Rebel. fol. 57.

²² Lec. Hist. of Irel.

²³ "Any one (says Mr. Carte) who has ever read the examinations and depositions here referred to, which were generally given upon hearsay, and contradicting one another, would think it very hard upon the Irish, to have all those without distinction, to be admitted as evidence." *Orm.* vol. ii. fol. 263.

venge," would have a just and rational title to our belief, having all of them received the sanction of these vouchers.

C H A P. IV.

The original depositions now in the possession of the university of Dublin considered.

I shall now briefly consider the nature of that evidence which has hitherto induced so many people, learned and unlearned, to give, or at least seem to give, credit to those horrible relations of murders, and massacres, which have been imputed to these insurgents. Evidence that, in itself, is so manifestly futile, contradictory, or false, that I am persuaded every person of common sense would be ashamed to produce the like, upon any ordinary occasion.

The evidence I mean, is that huge collection of manuscript depositions (consisting of thirty-two folio volumes) which are said to have been sworn, on the subject of the outrages and depredations committed by the insurgents, in this war, and are now in the possession of the university of Dublin. From this enormous heap of malignity and nonsense, Temple and Borlase^a have selected

^a I have already given a short sketch of Temple's character as an historian, from Dr. Nalson; the following is that given to Dr. Borlase's history of the Irish rebellion, by the same impartial writer. "As for Dr. Borlase, (says he) besides the nearness of his relation to one of the lords justices, and his being openly and avowedly a favourite of the faction, and the men and actors of those times; he is an author of such strange inconsistency, that his book is rather a paradox than a history; and it must needs be so; for I know not by what accident the copy of the manuscript written by the Right Hon. the Earl of Clarendon, happening to fall into his hands, he has very unartfully blended it with his own rough and unpolished heap of matter, so that his book looks like a curious embroidery sown with coarse thread upon a piece of sack web; and truly had he no other crime but that of a plagiarism, it is such a sort of theft to steal the child of another's brain,

C H A P. V.

The original examinations further considered.

AT the same time that Dr. Warner rejects the depositions now in the possession of the university of Dublin, he informs us, "that he has, in his own possession, a choice and duly attested copy of such of these examinations only, as were taken on oath; which," says he, "demonstrates the falsehood of the relation, in every protestant history of this rebellion." Had the doctor favoured the world with a publication of these choice examinations, or even with an abstract of them, we should then be, in some measure, able to judge of their authenticity; whereas at present, we have only his bare word for it. However, from an anecdote, which he himself has related, concerning the first real and original examinations, we may fairly conclude, that his favourite copy of them, however well attested, deserves not a jot more credit than those which he has already so justly condemned. That anecdote imports, "that soon after the restoration, when the claims in favour of innocents were canvassed, and the house of commons desired, that none of those, whose names could be found in the depositions, might be heard, relating to such claims of innocency; the Duke of Ormond, though no friend to the Irish, for good reasons,

¹ Hist. of the Irish Rebel.

² Ib. see Cart. Orm. vol. ii.

³ The whole house, with their speaker, waited on his Grace the Duke of Ormond, with an address to that purpose; in which they proposed, among other things, "that all examinations and depositions whatsoever, taken for discovery of the rebellion, or proceedings of the rebels and their adherents, as well during his late majesty's reign, as in time of the usurped authority; and that all books, rolls and writings, remaining in any office, &c. should be taken for good evidence, in behalf of his majesty, to bar such person or persons of their innocency." Journ. of the Irish Com. vol. ii. fol. 260.

sions, rejected the proposal.^b The duke," adds he, "probably knew too much of these examinations, and of the methods used in procuring them, to give them such a stamp of authority; or otherwise it would have been the clearest and shortest proof of the guilt of such as were named in them."

Upon this occasion, I submit it to the consideration of every candid and intelligent reader, whether depositions found insufficient to convict the persons, or confiscate the properties of the Irish, then living, ought to be now deemed proper and competent evidence, to impeach the characters or principles of their innocent descendants, at that time unborn? or whether any person now existing, can be thought to be so well qualified, either by the want of partiality to the Irish, or by the knowledge of their case, to judge of the weight or futility of that evidence, as the Duke of Ormond was at that juncture? and conscious of this material defect in the original examinations, with what probability of success could Dr. Warner rely on his

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^b The commons became so refractory on this refusal, that Lord Arlington in a letter to his grace, in 1663, mentioning "the distempers into which the house had fallen on that occasion, and the extravagant demands they had made to his grace," tells him, "that he was commanded by his majesty to let his grace know, that his majesty expressed such an entire dislike and dissatisfaction on that account, that he was persuaded nothing but their disavowing what they had done, and the restoring themselves to that duty and moderation which became them, (and them especially, adds his lordship, after so many acts of grace and indulgence on his majesty's part towards them), would keep them tolerable in his opinion; and hoped the insecurity of their condition there, and the support his majesty might probably have from his English parliament, then sitting, in any thing that tended to their discountenance, would oblige them to retract what they had done." State Letters, p. 281-2.

This house of commons consisted almost entirely of anabaptists, independents and levellers, partizans of the late usurpers. Carte's Orm. Some of them afterwards, formed a dangerous conspiracy, on account of this refusal. See Cart. ib.

own copy of them, how well soever attested, as capable of ascertaining the facts, which he has too confidently related out of it?*

C H A P. VI.

Concerning the number of murders.

DR. Warner, after having established, as he thought, the authenticity of his select copy of depositions,¹ “endeavours to ascertain from it, as near as may be, the number of British and protestants that were destroyed out of war, by the Irish in this rebellion.” And although he owns it “to be impossible, even from that authentic evidence of the murders, to come to any certainty or exactness as to their numbers, from the uncertainty itself of some of the accounts that are given in; yet,” he says, “it is easy enough, from thence, to demonstrate the falsehood of the relation of every protestant historian.” Upon the whole, he assures us, “that, setting aside all opinions and calculations in this affair, the evidence from the manuscript in his possession, stands thus:”

“The

¹ Hist. of the Irish Rebel.

* Warner himself confesses, “that so many of the rebels sayings to their protestant and English prisoners, which are recorded, even in the choice manuscript collection of depositions in his custody, are so ridiculous, incredible, or contradictory to one another, as shew plainly, that they spoke what their own, or different passions of their leaders prompted them to.”
Ib.

* Many of the select original examinations, which Temple and Borlase have inserted in their histories of this rebellion, have only the marks, not the names, of the deponents set to them; many of these deponents were weak women, and illiterate men; not capable of reading their own depositions, and therefore apt to be imposed upon, and deceived by those who read them to them. A great number of them swore on mere hearsay; and some of those afterwards, touched by remorse, solemnly declared the contrary of what they had sworn; and they

“The number of people killed upon positive evidence, collected in two years after the insurrection broke out, amounts only to two thousand one hundred and nine : on the report of other protestants, one thousand six hundred and nineteen more ; and on the report of some of the rebels themselves, a further number of three hundred ; the whole, both by positive evidence and by report, making four thousand and twenty-eight.

“Besides these murders,” adds he, “there is in the same collection, evidence on the report of others, of eight thousand killed by ill usage ; and if we should allow that the cruelties of the Irish, out of war, extended to these numbers, which, considering the nature of the several depositions, I think in my conscience we cannot ; yet to be impartial, we must allow that there is no pretence for laying a greater number to their charge.”

“This account,” continues the doctor, “is corroborated by a letter, which I copied out of the council books at Dublin, written on the 5th of May, 1652, ten years after the beginning of the rebellion, from the parliament-commissioners in Ireland to the

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English

² Id. ib.

they were all, at the time of swearing these depositions, either interested or incensed enemies to those against whom they swore. Hence we are told, that “at the trial of qualifications at Athlone (a court held by the regicides), where the book, called the Black Book, being a collection of these examinations, being produced, the same was so falsified in most particulars thereof, as well by the witnesses pretended to be sworn, as also by some of the persons then and now (1662) living, who were in the said book sworn to be murdered, that the same was, for shame, laid aside as no evidence ; and several other persons who have taken examinations touching murders, have, many times since, acknowledged the falsity of the matters published by them, as being had by the wrong information of others, who in the hurry of these times, and their own frights, were so transported, that they swore all their neighbours, whom they left behind them, were murdered, when all, or most of them, were afterwards found to be living.” Collection of Massac. and Murd. of the Irish, Pref.

English parliament. After exciting," says he, "the parliament to further severity against the Irish, as being afraid their behaviour towards that people, might never sufficiently avenge their murders and massacres; and lest the parliament might shortly be, in pursuance of a speedy settlement of that kingdom, and thereby some tender concessions might be concluded," these commissioners tell them, "that it then appeared, that besides eight hundred and forty-eight families, there were killed, hanged, and burnt, six thousand and sixty-two."

After seeing this, in comparison, exceedingly moderate charge, made even by the prejudiced commissioners of the rebel English parliament, what are we to think of the accounts of those massacres and murders which have been left us by our most seemingly impartial and approved adverse writers on this subject? What, I say, of Sir William Petty's^b cool calculation, that upwards of thirty thousand British were killed, out of war, in the first year of this insurrection? Or, of Lord Clarendon's pathetic lamentation, that in the first two or three days of it, forty or fifty thousand of them

^b "Petty was secretary to Ireton the regicide, and made an estate of five or six thousand pounds a year by the Irish forfeitures." Harris's Writers of Irel. fol. 357.

"If Sir William Petty (says a modern impartial protestant writer) had prejudices, it is evident they could not be in favour of the Irish, for he was one of the great gainers by their supposed guilt and consequent forfeitures. Yet after demonstrating that the number of protestants destroyed in the whole war by the papists, was not one-fourth of what it was reported to be, he goes on to shew, that before the war there were in the whole realm, but three thousand landed papists, of whom, as appears by eight hundred judgments of the court of claims, which sat anno 1663, upon the innocence and effects of the Irish, there were not above a seventh part guilty of the rebellion. And after assigning some motives for the Irish entering into this war, he concludes his chapter with these most remarkable words; "but upon the playing of this game or match, upon so great odds, the English won; and have among and besides other pretences, a gamester's right at least to their estates; but as for the blood shed in the contest, God best knows who did occasion it." Philosophic Survey of the South of Irel. p. 326.

them were destroyed? Or, of Sir John Temple's horrible affirmation, "that one hundred and fifty thousand protestants were massacred in cold blood, in the two first months of the rebellion?"

There is no question but that the desire of revenge, and the fear of tender concessions upon a settlement, caused these commissioners to heighten and aggravate, as much as possible, this charge against the insurgents; and yet we see, that even their account of these cruelties during the whole time of this ten years war, falls infinitely short of that which has been given us, I will not say by Temple or Petty, but by Clarendon himself, during the first two or three days of it only. What shame for the noble historian, thus to have exceeded the very regicides, in calumny and misrepresentation!

C H A P. VII.

The humanity of the chiefs of the insurgents.

MR. Hume, strangely misled by Temple's stupid legend (for I will not suspect him of conscious misrepresentation), asserts in a style better suited to romance than history, that "an universal massacre of the English commenced with this insurrection; that no age, no sex, no condition was spared; that destruction was every where let loose, and met the hunted victims at every turn; that all connections were dissolved, and that death was dealt by that hand from which protection was implored and expected." In short, "that without provocation, without opposition," the
astonished

* Hist. of England, Dub. ed. vol. iv.

* This demonstrates a strange unacquaintedness in this writer, even with those historians, some of whose prejudices he has all along adopted in this part of his history. For to omit other instances, Borlase has given us a journal of Sir William Cole's services against the insurgents, wherein it is boastingly asserted, "that from the 23d of October, 1641, to some time in 1642, the
the

astonished English were massacred by their nearest neighbours, with whom they had long upheld a continued intercourse of kindness and good offices." Not content with imputing these, and many other, if possible, greater barbarities, to the first insurgents, he confidently affirms, on the same exploded authority, "that the English catholics of the pale, joining these old Irish," rivalled them in every act of cruelty towards the English protestants." Thus the grossest and most palpable fictions, which, when stupidly retailed by a noted and malicious libeller, have little or no chance to be believed by any, may yet be afterwards dressed out by a more artful writer, in such plausible colours, and with such semblance of truth, as will render them credible and affecting, even to some readers of a moderate share of understanding. What pity it is, that in all this historian's fine declamation on this
 tragical

the said Sir William killed with his regiment of five hundred foot and one troop of horse, two thousand four hundred and seventeen swordsmen of the rebels; and starved and famished of the vulgar sort (whose goods were seized on by the regiment), seven thousand. And that he rescued and relieved five thousand four hundred and sixty-seven Scotch and English protestants." Borlase adds, "after this rate the English in all parts fought." *Hist. of the Irish Rebel*, fol. 112. Colonel Gibson having taken the strong castle of Caric-main, belonging to the Walshes, near Dublin, in which several hundreds of the Irish had taken refuge, "put them all to the sword, sparing neither man, woman, nor child." *Id. ib.* fol. 97. Numbers of such instances of barbarous, and indiscriminate opposition and revenge, are to be met with in all the adverse writers on this subject.

^b Lord Clarrickard, in a letter to the Earl of Essex, 22d of May, 1642, says, "I conceive it is the desire of the whole nation, that the actors of those crying sins (outrages committed by the rabble), should, in the highest degree, be made examples to all posterity: yet God forbid that fire, sword and famine, which move apace here, and might be easily prevented, should run on to destroy all mankind, and put the innocent and the guilty into one miserable condition; or if some young unsettled spirits have been misled, that therefore their friends and antient families should be utterly destroyed, or the king's mercy totally bound up." *Carte's Orm.* vol. iii. f. 77.

tragical event, there is so very little of its true history to be found.^c

In truth, the Irish engaged in this war, did not suffer more in their persons, by the swords of their enemies, while it was carrying on, than they have since done in their characters, by the pens of some of those historians, who have either carelessly or maliciously commented upon it. The best, the noblest, and most loyal men^d in the kingdom, who, after having patiently

^c In the year 1764, a copy of the Historical Memoirs of the Irish rebellion, wherein all these calumnies are clearly refuted by unquestionable authority, was sent to Mr. Hume, when secretary of the embassy at Paris, under Lord Hertford, in hopes of inducing him to correct these flagrant and injurious mistakes, in a subsequent edition of his history. But the expected effect has not since appeared: He, indeed, returned a polite but evasive answer, on that occasion, in which he says, "I am here at such a distance from my authorities, that I cannot produce all the arguments which determined me to give the account you complain of, with regard to the Irish massacre. I only remember I sought truth, and thought I found it. The insurrection might be excused, as having liberty for its object." The violence also of the puritanical parliament, struck a just terror into all the catholics. But the method of conducting the rebellion, if we must call it by that name, was certainly such (and you seem to own it) as deserved the highest blame, and was one of the most violent efforts of barbarism and bigotry united." The authorities sent him in the memoirs above-mentioned, demonstrating his mistakes, are by both parties confessed to be undeniable. And indeed, it appears from the softer style of this letter, that since the writing of his history, he has abated somewhat of his declamatory virulence with respect to those insurgents, probably from the perusal of these authorities.

^d Lord Clanrickard, in a letter from Kilkenny to the Earl of Ormond, June 4th, 1645, after assuring him, that if the impediments to the peace were removed, i. e. a promise given that the penal laws against their religion should be repealed, "such was the real earnest desire of the confederates to be employed in his majesty's service, that the difficulty would be rather to keep back the multitude of forward spirits that would press into that expedition (against the English rebels):" adds, "and truly, my lord, I should hardly have believed the kingdom could have afforded so many proper able gentlemen as I find here; though many others of quality be in the Munster army." Carte's Ormond, vol. iii. p. 413.

ently endured numberless galling injuries and oppressions, were, at last, driven to the fatal necessity of taking arms in their defence, are confounded by these libellers with the meanest of the Irish rabble, who followed them meerly for plunder. But I will now, from a motive of meer justice, produce a few signal instances, out of many, of the humane and christian behaviour of some of the chiefs of these insurgents, towards such of the English and protestants as happened to fall under their power.* And this I shall do, not from writers of their own party or persuasion, but from such adverse historians, as have otherwise too hastily condemned all their constrained efforts of natural self-defence, as so many overt acts of treason and rebellion.

“The first thing that the new general of the Irish,² Owen O’Nial, did, was to express his abhorrence of cruelties

² Carte’s *Orm.* vol. i.

* Lord Clarendon, however, though shamefully partial in many other respects, seems to have distinguished himself on this and some other occasions, from the common herd of adverse writers, by some degree of accuracy and justice: “It is not,” says he, “the purpose of this discourse, to lay the imputation of this rebellion and savage cruelty, upon all the Irish and catholics of that kingdom (Ireland), of whom many persons of honour were never, in the least degree, tainted with that corruption; but, on the contrary, have always given as signal testimonies of duty and affection to the king, and of their detestation of the odious and bloody defection, as any of his majesty’s subjects of either of his majesty’s other kingdoms have done; whose memory must, with equal justice and care, be transmitted to posterity, as precious examples of honour and integrity. Others were, by the passion and rigour of those who were then in authority, and had power enough to destroy whom they had inclination to suspect or accuse, driven to put themselves under the protection of those whose ways and courses they totally disapproved; and many who, by misinformation and misbelief, engaged in the carrying on, and possibly in the contriving of the war and insurrection, were enemies to those actions of blood, rapine and inhumanity, which dishonour any war, and grew quickly willing to repair the breaches they had made, and return to the duty they had violated.” *Hist. of the Irish Rebel.* p. 9, 10.

cruelties that had been committed on the English. He told Sir Phelim O’Nial, that he himself deserved to be treated in the same manner. In detestation of their actions, he burnt some of the murderers houses; and said, with a warmth unusual to him, that he would join the English rather than not burn the rest.”

“ By the humanity of Mr. Philip O’Reilly,³ one of the most considerable chiefs of the rebels, scarce any murders were committed in the county of Cavan; such of the protestants as put themselves under his protection, were safely conveyed into the English quarters; and those that were stript and in necessity, he fed and cloathed, till they were sent away. Among these, was Dr. Henry Jones, a nephew of Primate Usher, and dean of Kilmore, who, though he turned afterwards a noted partizan of Cromwell’s, was promoted to the see of Clogher, and thence, after the restoration, to the see of Meath.”

“ Doctor Maxwell,⁴ afterwards bishop of Kilmore, deposeth, that Mrs. Catherine Hovenden, widow, and mother to Sir Phelim O’Nial, preserved four and twenty English and Scotch, in her own house; and fed them there for seven and thirty weeks, out of her own store; and that, when her children took her away, upon the approach of an army, she left both them, and the deponent, at their liberty.⁵ That Capt. Alexander Hovenden, her son, conducted five and thirty English out of Armagh to Drogheda; whereof some were of good quality;

³ Id. ib. ⁴ Id. Borl. Hist. of the Irish Reb. App.

⁵ The same Dr. Maxwell (who, says Borlase, “ was a person whose integrity and candour none ever dared to question,” Irish Rebel. fol. App. 392) testifies, that Capt. Hovenden, son of the said Catherine Hovenden, had done great services to the English; yet that, “ though he was desirous to submit himself to the king’s mercy, upon the Lord Montgomery’s protection, offering to root out the bloody sept of the Hughes with his own followers and arms, out of Ireland; though he never had his hand in blood out of battle, and though not two and twenty years of age, which (says the deponent) might deserve some favour, and did not pretend to one foot of inheritance, the motion was rejected; (adds my author) perhaps worse will be admitted.” Borl. ib.

quality ; when it was thought he had secret directions to murder them. Twenty more he sent safe to Newry, and he would trust no other convoy but himself."

"There⁵ are many honourable testimonies," says Dr. Warner, "of the care and preservation of the English by Lord Muskerry and his lady, not only in saving their lives from the enemy, but also in relieving them, in great numbers, from cold and hunger, after they had been stripped and driven from their habitations. Indeed," adds he, "all the gentlemen in that part of the kingdom (Munster) were exceedingly careful to prevent bloodshed, and to hinder the English from being pillaged and stripped, though it was many times impossible."

"In the above mentioned province of Munster,"⁶ says Mr. Carte, "Lord Mountgarret, by proclamation, strictly enjoined all his followers not to hurt any of the English inhabitants, either in body or goods ; and he succeeded so far in his design for their preservation, that there was not the least act of bloodshed committed. But it was not possible for him to prevent the vulgar sort, who flocked after him "for booty, from plundering both English and Irish, papist and protestant, without distinction. He used his authority, but in vain, to put a stop to this violence ; till seeing one of the rank of a gentleman, Mr. Richard Cantwell (descended from Mr. Cantwell of Painstown, a man much esteemed in his country) transgressing his orders, and plundering in his presence, he shot him dead with his pistol."

"At the same time⁷ the said Lord Mountgarret's eldest son, Colonel Edmund Butler, taking possession of Waterford, none of the inhabitants, of whatever country, or religion, was either killed or pillaged ; and such of the British protestants as had a mind to leave the place, were allowed to carry off their goods wherever they pleased."

"Callan⁸ and Gowran were seized at the same time, by persons thereunto designed by Lord Mountgarret, without any bloodshed ; some plunder however, was

⁵ Hist. of the Irish Rebel. ⁶ Cart. Orm. ⁷ Id. ib. ⁸ Id. ib.

was there committed, though with less violence for fear of complaints, it being confined to cattle of English breed, which were stolen as well from the Irish, who had any of that breed, as from the English."

"The towns of Clonmell and Carrickmagrath, in Tipperary, and Dungarvan, were severally surprized by Mr. Richard Butler of Kilcash, second brother to the Marquis of Ormond; and he had such an influence over his followers, that he kept them not only from murder, but even from plunder; his great care and noble disposition, being acknowledged even by his enemies."

James Lord Dunboyne,¹⁰ hearing of the surprize of Fethard, by Theobald Butler, and being chief commander of the barony of Middlethyrde, by special grants made to some of his ancestors, for service performed to the crown of England, repaired thither the next day, and took on him the command of the town, dispersing the rabble, and placing in it a garrison, which he formed of the most substantial inhabitants of the place, and neighbourhood. He immediately set the English at liberty, restored them their goods, and sent them away in safety to Youghall, and other places, which they chose for their retreat. Two of these were clergymen, of whom Mr. Hamilton was, at his request, sent with his family to the Countess of Ormond."

"Mr.

⁹ Id. ib.

¹⁰ Id. ib.

* How different was the conduct of the pretended leaders of the royal party, from that of the above-mentioned chiefs of the Irish, when they got possession of any place belonging to the latter. Among numberless instances of their unparalleled cruelty, I shall only mention two or three in Munster, from their panegyrist, Borlase. "Sir Frederick Hamilton," says he, "entering Sligo, about the first of July, 1642, burnt the town, and slew in the streets three hundred of the Irish." Hist. of the Irish Rebel. fol. 112.

"Lord Dungarvan and Lord Broghill summoning the castle of Ardmore, in the county of Waterford, 21st of August, 1642, it was yielded upon mercy. Nevertheless, one hundred and forty men were put to the sword." Id. ib. fol. 111.

It

"Mr. Lowe," vicar of Cloyne, having been barbarously murdered at Fethard, by one James M'Hugh, and some accomplices, Lord Ikerin, upon information given against him, committed him to prison, whence M'Hugh making an escape, fled the country for some time; but returning, was seized again, confessed the fact, and was hanged for it, with two of his accomplices."

"Sir Richard Everet, Bart."¹² in the beginning of the rebellion, sent the richest of the English planters in his country, with their stock and goods, into the English quarters. The poorer English, consisting of eighty-eight persons, he kept and maintained at his own charge till the middle of June, 1642; then conveyed them to Mitchel's-town, and when that place was afterwards taken by the Irish, he sent for some of those families that were very poor, and maintained them for a long time. As soon as the cessation was made, some of the poor tenants came back to him, and he settled and protected them on his lands, till Cromwell came into the country."

"When" Birr surrendered to General Preston, in January 1642, the articles were faithfully performed; and the Earl of Castlehaven, his lieutenant general, conveyed the garrison and inhabitants to the number of eight hundred persons, in a long march of two or three days together through the woods of Irregan, and waste countries, safe to Athy."

"Sir Audley Mervin, a covenantor, Cromwellist, and speaker of the Irish house of commons after the restoration, in a speech," says Sir Peter Pett,¹⁴ "glowing with anger enough against the papists, confessed, that in the barony of Inishoan, there were above two thousand papists, who could bring hundreds of protestants to witness their civil demeanour. This," adds he, "I mention

to

¹¹ Cart. Orm. vol. i.

¹² Id. ib.

¹³ Id. ib.

¹⁴ Happy future state of England:

It is therefore no wonder, that this Lord Broghill declared on another occasion, "that he knew not what Quarter meant." Id. ib. fol. 110.

to give testimony of the heroic virtue of many of the church of Rome, at that dismal period.”^h

But not to dwell longer on particulars, the whole body of the catholic nobility and gentry of Ireland, did, by their agents at Oxford, in 1643, petition his majesty,¹⁵ “ that all murders committed on both sides, in this war, might be examined in a future parliament, and the actors of them exempted out of all the acts of indemnity and oblivion.¹ But this proposal the protestant agents, then also attending the king at Oxford, wisely declined; upon which it was justly observed, “ that if it should be asked,” wherefore this offer of the accused Irish has been always rejected or evaded by their accusers, (for it was more than once repeated afterwards) there is no man of reason but understands it was, because the Irish were not guilty of those barbarous and inhuman crimes, with which they were charged; and because those who charged them so exorbitantly, found themselves, or those of their party, truly chargeable with more numerous and more barbarous crimes and murders, committed on the stage of Ireland, whereon they had acted, and yet but partly, their own proper guilt; for many of them acted it on that of Great Britain

¹⁵ Borl. Hist. of the Irish Rebel.

¹⁶ Walfh's Reply to a person of quality.

^h In the year 1642, “ the bishops of Tuam and Kilalla, (says Mr. Carte) with about four hundred English, were preserved and had liberty to depart with their effects. The great care taken for the security thereof, as well as of their persons, by the chief inhabitants of Galway being acknowledged by them in a certificate, which they drew up and signed for that purpose.” Orm. vol. i. fol. 323.

ⁱ And on the conclusion of the peace in 1648, “ it was provided, that such barbarous crimes as should be particularized and agreed upon by the lord lieutenant, and Thomas Lord Viscount Dillon of Costelloe, lord president of Connaught, Donogh Lord Viscount Muskerry, &c. as to the actors and procurers thereof, should be left to be tried and adjudged by such indifferent commissioners as should be agreed on by the said lord lieutenant and the said Thomas Lord Viscount Dillon of Costelloe, &c.” Walfh. Hist. of the Irish Remon. App. fol. 54.

Britain too, even the most horrid guilt imaginable, by the most bloody and most execrable murder of the best and most innocent of kings."

C. H A P. VIII.

The conduct of the catholic clergy during the insurrection.

BUT whatever cruelties these insurgents are supposed to have committed on the English and protestants, either in or out of war, they are all said to have been perpetrated by the advice and instigation of their clergy. Mr. Hume, too confident of the truth of this imputation, on the sole credit of the depositions before-mentioned, has launched out into the most pathetic strains of invective on that occasion. "The English," says he,¹ "as heretics abhorred of God, and detestable to all holy men, were marked out by the priests for slaughter; and of all actions, to rid the world of these declared enemies, of catholic faith and piety, was represented as the most meritorious." And thus, in consequence of these documents, "while death," adds he, "finished the sufferings of each victim, the bigotted assassins, with joy and exultation, still echoed in his expiring ears, that these agonies were but the commencement of torments infinite and eternal." This indeed, might have appeared a pretty rhetorical flourish, but that the expression, "expiring ears," is somewhat of the boldest, and borders too closely on nonsense; but it never could have passed for real and genuine history, with any one who had taken the least pains to inform himself of the principles and conduct of these priests, at that dismal juncture.* Mr. Hume might have learned,
even

* Hist. of Engl. Dub. ed. vol. iv.

¹ "If the popish ecclesiastics," says Dr. Leland, "preached their horrid doctrines of blood and massacre, others were known equally zealous to moderate the excesses of war,
to

even from Borlase,² that in a congregation of their archbishops, bishops and inferior clergy at Kilkenny in May 1642, excommunication was denounced against all those of their communion, "who either had, from the beginning of the war, or should afterwards, in the course of it, murder, dismember or grievously strike; all thieves, unlawful spoilers, or robbers of any goods; and such as favoured or received them." And they even included in this censure, "all such as had invaded or should invade the possessions or goods, spiritual or temporal, of any Irish protestant, not being their adversary, and should detain them." They also, "commanded all and every of their clergy, as well regular as secular, not to hear the confessions of the aforesaid excommunicated persons; nor to administer to them the holy sacrament, under pain of excommunication *ipso facto*."

"This was," says Dr. Warner,³ "a general synod of all the popish bishops and clergy of Ireland. Three of the titular archbishops, six other bishops, the proxies of five more, besides vicars generals, and other dignitaries, were present at this synod. And as these are the acts and ordinances purely of the Roman catholic clergy of Ireland, represented in a general synod, I suppose it will be allowed, on all sides, that whatever proceedings are here condemned, are to be placed to the account of the follies and vices of particular people; and cannot fairly be charged on the Roman faith."

Many

² History of the Irish Rebel.

³ Ib. fol. 201.

to protect the English, and to conceal them from the fury of the enemy, even in their places of worship, and under their altars." Hist. of Ireland, vol. iii. p. 155.

⁴ "How weak, how uncharitable, how unjust," exclaims the same writer, "is it in those, who charge such horrid impieties on the principles of the Roman catholic religion, as were merely owing to the accursed, hellish disposition of particular persons who gave a loose to them! The protestants, I am sure, would take it ill, and very justly, if the barbarities of Sir Charles Coote, and Sir Frederick Hamilton, were fastened on their religion. And why then should they charge those of which Sir Phelim O'Nial

Many instances might be produced, of the great beneficence and humanity of these ecclesiastics, to the distressed English and protestants, at that period. "At⁴ the taking of Cashell, Dr. Samuel Pullen, chancellor of that city, and dean of Clonfert, with his wife and children, was preserved by father James Saul, a Jesuit. Several other Romish priests distinguished themselves on that occasion, by their endeavours to save the English; particularly father Joseph Everard and Redmond English, both Franciscan friars; who hid some of them in their chapel, and even under their altar. And soon after, those who had been thus preserved, were according to their desire, safely conveyed into the county of Cork by a guard of the Irish inhabitants of Cashel, who acted with so much good faith, that several of the convoy were wounded in defending them from the violence of the rabble upon the mountains, in their passage."

Doctor Bedel, bishop of Kilmore, when a prisoner with the insurgents, who doubtless had many priests among them, "was never interrupted⁵ in the exercise of his worship, although not only his house and all the out-buildings, but also the church and church-yard, were full of people that flocked to him for shelter. So that, from the 23d of October to the 18th of December following, he, and all those within his walls, enjoyed to a miracle," says Bishop Burnet, "perfect quiet. And when he died, at the age of seventy-one, the titular bishop of the diocese, although he had proselyted his brother, a popish priest, to the communion of the established church, suffered him to be buried in consecrated ground, the Irish doing him unusual honours at his funeral. For the chiefs of the insurgents, having assembled

⁴ Cart. Orm. vol. i.

⁵ Burnet's life of Bedel.

O'Nial and others were guilty, on the principles of the Romish church, which hath disclaimed them? These considerations may be too candid and impartial, to please the ignorant and bigotted, of either side: but they will teach principles and practices more agreeable to christianity, than those which prevailed at that time, and which we now so much lament." Hist. of the Irish. Rebel. p. 202.

assembled their forces, accompanied his body to the church-yard, with great solemnity; and desired Mr. Clogy, one of his chaplains, to bury him according to the church offices. At his interment they discharged a volley of shot, crying out in Latin, *Hic requiescat ultimus Anglorum!* May the last of the English rest in peace! Edmund Farilly, a popish priest, exclaimed at the same time, *O, sit anima mea cum Bedello!* Would to God that my soul were with Bedel."

C H A P. IX.

The first cause of the insurrection's increasing.

FOR almost six weeks from its beginning,¹ this insurrection was confined to the province of Ulster,² the three other provinces of Ireland remaining quiet. Even in the conspirators first, and principal design, to seize the castle of Dublin, not one of the catholics of that city was any way concerned, although they were then fifteen to one protestant;³ and what might have been an additional temptation,⁴ "there was not a company of the army, at that juncture, in the town." Nay so long after as June 1642, the lords justices themselves testified,⁴ "that no particular crimes could be objected to them, and that they could not be charged with any thing but bare suspicion."⁵

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Not

¹ Warner's History of the Irish Rebel. p. 130.

² Cart. Orm. vol. i. ³ Id. ib.

⁴ Temp. Hist. of the Irish Rebel.

⁵ Even Carte confesses, that "the rebellion had been carried on till the month of December, by the meer Irish, and confined to Ulster, to some few counties in Leinster, and that of Leitrim in Connaught." Life of Orm. vol. i. fol. 243. He had before observed, "that no one nobleman of the kingdom, or any estated gentleman of English race, engaged in the rebellion till the month of December." Ib.

⁶ The Earl of Clanrickard, in a letter to the Earl of Essex, December 6th 1641, tells him, "that there was then no nobleman

Not less quiet, during the same space of time, were the principal inhabitants of the county of Wicklow; although a great part of their territory had been taken from them, and planted, some years before. Nor was there yet any considerable commotion in Connaught, Clare, Tipperary, or Limerick,⁶ “which had been all lately found for the king, by several inquiries, and were then ready to be disposed of to British undertakers.” In short, it may, on very probable grounds, be asserted, that for near two months after the 23d of October, 1641, no formal insurrection appeared among the natives of any of the four provinces, except those of Ulster, who had been particularly threatened with extirpation, and were generally, says Lord Clanrickard,⁷ “haughty and ambitious spirits, the remains of the branches of antient rebels, and had lost large and great possessions.” What occasioned the fatal change, that soon after ensued, in most parts of the kingdom; I shall now endeavour to demonstrate.

In August 1641, the Irish parliament was in daily expectation of the return of their agents from England; with the royal assent to two bills, that would have put an effectual stop to those predatory suits of enquiry

⁶ Temp. Hist. of the Irish Rebel.

⁶ Id ib.

⁷ Mémoires, Eng. ed.

bleman in the kingdom in the action; nor any gentleman of quality of English extraction; and that many of the antient Irish were still firm.” Carte’s *Orm.* vol. iii. fol. 44.

“In their humble remonstrance to the king on this occasion, they say, “We cannot but with much sorrow represent to your royal majesty, how that the natives in the province of Ulster, and other the late plantations made here by the English, were by force expelled out of their native seats and antient possessions, without just grounds; and many of the principal gentlemen, who served the crown in the wars of queen Elizabeth, and were the principal means of the overthrow of the late Earl of Tyrone and his adherents, were, for their service, bereaved likewise of their whole estates, and confined to perpetual imprisonment in the tower of London.” *Desid. Curios. Hibern.* vol. ii. p. 93.

enquiry into defective titles, which had been so long and grievously complained of. "Never," says Mr. Carte,⁸ "were two acts better adapted to give general satisfaction to any people, than these⁴ were to the gentlemen of Ireland." Even Temple owns,⁹ "that these bills had been long and most impetuously longed for by the Irish." And although his majesty had, in May preceding, sent positive orders to the justices,¹⁰ to pass these bills, and the other promised graces;¹¹ and the commons first, and afterwards both houses, had most earnestly and repeatedly besought them,¹² "that they might be suffered to continue together for a further time, because their agents were at the water-side with these bills;" yet these lords justices,¹³ acting every thing in Ireland, by the influence of the puritan faction in the English parliament, often in derogation of his majesty's commands, caused the parliament to be adjourned for three months." Which adjournment the catholic members, who were principally aggrieved by it, "afterwards aggravated against the justices,"¹⁴ as one of the chief moving causes of the taking up of arms generally throughout the kingdom."

Soon after this fatal and enforced adjournment, the parliament's agents arriving in Dublin,¹⁴ "presently applied," says Temple, "to the lords justices and council, desiring to have those acts and other graces, granted by his majesty, made known to the people by proclamation."

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⁸ Life of Orm. vol. i.

⁹ Irish Rebel.

¹⁰ Com. Jour. vol. i. Carte's Orm. vol. i. fol. 143.

¹¹ Com. Jour. vol. i.

¹² Carte's Orm. vol. i.

¹³ Tem. Irish Rebel.

¹⁴ Id. ib.

⁴ One was the act of limitations, to bar all titles, claims and challenges of the crown before sixty years last past, to cut off all expectations upon the ancient title, and to strengthen, by new grants and patents, all titles from the crown. Borlase's Ir. Rebel. fol. 23.

^c "The king," says Mr. Carte, "had sent positive orders, on the 3d of May 1641, to the lords justices, to pass the act of limitations, and all the other graces in parliament." Life of Orm. vol. i. fol. 143.

proclamation." This was promised, and an instrument drawn up, and presented to their lordships for that purpose; but "they," as it seems, desiring rather to add fuel to the fire of the subjects discontents, than to quench the same, did forbear to give any notice thereof to the people."

C H A P. X.

The same subject continued.

THIS general disgust was not removed or lessened by the next meeting of parliament, on the 16th of November following, the day to which it had been adjourned. On the contrary, by the manifest reluctance with which the justices suffered it to meet even then, and by their sudden prorogation of it for two months longer,^a it was greatly increased. This prorogation, says Mr. Carte,¹ "gave a particular distaste to the Roman catholics, who were like to be the greatest sufferers thereby, and to lose the benefit of those graces, which were intended for their particular relief." The Earl of Ormond, Lord Dillon of Costelloe, and some others, urged, among other things, against the prorogation, that all the nation was in expectation of the graces, and would be strangely uneasy, if they were not confirmed in parliament. But the justices were deaf to all such remonstrances; for, as they had been with difficulty prevailed upon, by the impo-

tunate

^a Remonst. from Trim.

¹ Carte's Orm. vol. i. f. 222. ² Id. ib.

^a "November 17th (1641), it was ordered, that the persons undernamed are appointed forthwith to withdraw themselves into the inner-room of this house, and draw up a declaration of the humble desires of this house, for the continuance of this present session of parliament, without either adjournment or prorogation." Appendix to Com. Jour. vol. i. f. 17.

Yet Borlase impudently affirms, "that both houses readily assented to this adjournment." Irish Reb. f. 17.

fortunate solicitations of the lords and gentry of the pale, to suffer the parliament to meet even on the aforesaid 16th of November, so they then took especial care to limit the session,³ in such a manner, that no act of grace, or any thing else for the people's quiet or satisfaction, might be propounded or passed. For well knowing that the members of both houses, throughout the kingdom (a few in and about Dublin only excepted), would be absent from parliament, they published their proclamation for the meeting but two days before the time; whereupon, only a few of the lords and commons appeared in the houses; who, on their entrance at the castle bridge and gate, and within the castle yard, to the door of the parliament-house, were environed with a great number of armed men,^b with matches lighted, and muskets presented even to the breasts of the members of both houses ;
none

³ Remonst. from Trim.

^b 'Tis pleasant to observe Dr. Warner's serious remark on this occasion, viz. "that this guard of musketeers was not to infringe the freedom of the debates, but to secure the persons of those who met, as well as the safety of the castle." Hist. of the Irish Rebel. p. 129.

Adverse writers affect to have it thought, that "these members were all along concerned in the rebellion, or engaged with the first contrivers of it:" but that would "be to make them (says Lord Castlehaven) not only the greatest knaves, but the veryest fools on earth; since otherwise they could not have been so earnest for the continuation of the parliament, while sitting in the Castle, and under the lords justices guards, who upon the least intelligence, which could not long be wanting, had no more to do but to shut the gates, and make them all prisoners, without any possibility of escape, or hopes of redemption." Memoirs.

These members so tenderly commiserated the sufferings of the protestants, who then flocked from all parts of the country to Dublin, in the utmost distress, that notwithstanding the shortness of the session, and the multiplicity of other business, they passed the following order, November 16th 1641 :

"It is ordered by the free consent of the whole house, that every knight of the shire, now present, shall give forty shillings forthwith; and every citizen serving out of a city which is a county,

none being admitted to bring one servant to attend him, or any weapon about him, within the castle bridge. Yet how thin soever the houses were, and how much soever overawed, they did both jointly⁴ supplicate the lords justices and council, that they might for a time continue together, and expect the coming of the rest of the members, to the end, they might quiet the troubles in full parliament; and that those acts of security, granted by his majesty and transmitted under the great seal of England, might be passed, to settle the minds of his majesty's subjects. But to these requests, conducing so much to his majesty's service, and the settlement of the kingdom, a flat denial was given.⁵ Nay their lordships dismissed the houses, after only two days sitting, without saying a word of the graces from the king, or giving them any assurance, or even a faint glimmering hope, that they should be passed in another session."

The Earl of Castlehaven, who sat in that parliament, after having recited the loyal and unanimous protestation of both houses,⁶ "that they would, if necessary, take up arms, and with their lives and fortunes, endeavour to suppress the rebellion;" informs us, "that in order speedily to bring the rebels to condign punishment, they fell immediately to consider of the most effectual means to do the work. But this way of proceeding," adds his lordship, "did not, it seems,

⁴ Castlehaven's Memoirs.

⁵ Warner's Hist. of the Irish Reb. p. 128. Carte, &c.

⁶ Memoirs.

county, thirty shillings; and every burghers twenty shillings; to be collected and received by Mr. Dr. Cooke, Mr. Recorder of Dublin, Mr. Anthony Doppinge, and Mr. Stephen Stephens, or any or either of them, for the present relief of such poor people as have been robbed, and are come distressed to this city. And that all such of the members of this house as are now absent, shall likewise give the like benevolence, to be collected and received in the manner and for the use aforesaid, upon notice of this order given; and the same money to be disposed of by the persons aforesaid, or any three of them." Appendix to the Commons Jour. f. 14.

seems, suit with the lords justices designs, who were often heard to say, that the more there were in rebellion, the more lands would be forfeited; and therefore, in the very height of the business, they resolved upon a prorogation; which the parliament understanding, Viscount Costelloe, and myself, were sent from the lords house, and others from the commons, to desire the continuance of parliament, till the rebels, then few in number, were reduced.^c But our advice was slighted, and the parliament next day prorogued, to the great surprize of both houses, and the general dislike of all knowing and honest men.”

C H A P. XI.

Further misconduct of the lords justices.

AS it evidently appears, from divers circumstances, that the justices, Parsons and Borlase, rather wished for and promoted, than endeavoured to prevent this insurrection,^a so it is still more manifest, that all their subsequent

^c Sir Wm. St. Leger, President of Munster, confessed in a letter to the Earl of Ormond, that even in the following month of December, “the insurgents in that province were only a company of ragged, naked rogues, that with a few troops of horse would be presently routed.” Carte’s Orm. vol. iii. fol. 44.

^a Lord Clanrickard, in a letter to the Duke of Richmond, giving an account of the causes of this insurrection, informs him, that “all (the Irish) generally were discontented with those that managed the affairs of state there; whom they charged with secret practicing both there and in England, before the commotions began, to raise parties and factions to destroy their religion, to divert and hinder the king’s graces intended towards them, by that means to put them into desperation, that they might forfeit their lives and fortunes. And that since the distempers began, they had so disposed of affairs, as if the design was laid to put the whole kingdom into rebellion.” Memoirs, Eng. ed. f. 63.

There is no doubt but that the notice sent by Sir Henry Vane, in 1640, to these lords justices, concerning an intended rebellion

subsequent proceedings tended only to increase and extend it, for their own iniquitous private purposes.' Sir Robert Talbot of Castle-Talbot, in the county of Wicklow, repaired to Dublin, in the beginning of the troubles; and offered to Sir William Parsons, in the presence of Dean Bulkely, who lived to attest it after the restoration, to secure the chief heads of the Byrnes, Tooles,

¹ Carte's *Orm.* vol. i.

lion in Ireland, as he was informed, was received by them with total disregard. Dr. Borlase informs us, that "this letter of Sir Henry Vane was delivered to Lord Justice Parsons, and since his death found in his study; and by Sir James Barry, Lord Baron of Santry, presented to his majesty Charles II. who looked upon it as a precious jewel, discovering his father's royal thoughts towards the preservation of his protestant subjects and people. But how far (adds he) it was at first communicated is uncertain." *Hist. of the Irish Rebel.* f. 7, 8.

It is also certain, "that on the 11th of October 1641, an express from Sir William Cole, a gentleman of Enniskillen, informed these justices of an unusual and suspicious resort of various Irish to the house of Sir Phelim O'Neil; of many private journeys made by Lord Macguire; of dispatches sent to their different friends; of an extraordinary solicitude for levying men; and other circumstances alarming to the friends of government. That even on the 21st of that month, Cole dispatched a full account of the conspiracy, which had, by this time, been revealed to him by two accomplices: yet that this last instance of his zeal proved as ineffectual as the former." *Lel. Hist. of Irel.* vol. ii. fol. 107.

"About the beginning of the English parliament in 1640, the independents insisted openly to have the papists of Ireland rooted out, and their lands sold to adventurers." Walker's *Hist. of Independency*, p. 200.

And if we reflect on the intimate connection between these lords justices, and that parliament, no doubt will remain but that "a combination between them, at first lighted up, and afterwards spread abroad, the flames of this rebellion." *Ib.*

The above discovery was made to Sir William Cole by Bryan Macguire, probably of the same family with Lord Macguire, the principal leader in this insurrection; for which Bryan's grandson, in the year 1662, was, by the interposition of parliament, restored to his grandfather's estate; which, notwithstanding that memorable service, had, it seems, been forfeited." See *Com. Jour.* vol. ii. fol. 163.

Tooles, and other septs in that county,^b who, as their lands had been planted some years before, were the likeliest men to rise and begin a rebellion in Leinster, if he would give him commission to do so; insisting, that they would not stir while their chiefs were in custody, as so many hostages for their fidelity. But Sir William Parsons absolutely refused to give him a commission; and these septs soon after breaking out into rebellion, Sir Robert engaged against them, in defence of the English in that, and the adjoining county of Catherlogh; and conveyed most of these English with their goods and flocks safe to Dublin. He had, indeed, the lords justices thanks for this service, but it cost him dear; for in revenge thereof, two of his best houses, Cartan and Liscartan, were burned by the Irish."

The Earl of Ormond's early offer to suppress these tumults in their beginning, met with no better reception from their lordships; for that nobleman having undertaken to pursue the rebels, then in no respect considerable, if he might be allowed meat and drink for the soldiers in his march, his proposal was rejected. "The only reason assigned by the justices for this refusal, viz. the want of arms, was," says Mr. Carte,² "a pretence so notoriously false, that it could only be made

² Ib. fol. 194.

^b "The Byrnes in the county of Wicklow did not begin to stir till November 12th (1641), nor the Tooles and Cavanaghs in that and the adjacent counties of Wexford and Catherlogh, till the 21st; nor those of any other province but that of Ulster." Cart.Orm. vol. i. f. 210.

^c "Had the lords justices," says Dr. Warner, "acquitted themselves like men of probity and understanding, there was time enough given them to suppress an insurrection, which for six weeks almost was confined to the province of Ulster, without any chief that was so considerable as Sir Phelim O'Neil. But it was the great misfortune of that unhappy country, to be then governed by a man (Sir William Parsons) that had not one qualification for such a post, at such a time; and to those defects was added, great obliquity of heart towards both the king and the Irish. Hist. of the Irish Rebel. p. 130.

made use of to cover motives, which they were ashamed to confess ;^d for there was, at this time, in the stores of the castle, a fine train of artillery, ammunition of all sorts, in great quantities, arms for above ten thousand men, tents, and necessaries of all kinds for the march and provision of an army ; all which had been prepared by the Earl of Strafford for the Scots expedition."

What these justices real motives were, soon after appeared.' " In the before-mentioned short session of November 16th, both houses had drawn up a letter to the king, which was sent by the Lords Dillon and Taaffe ; and in which they offered of themselves, and without any aid from England, to put an end to this insurrection." Immediately upon this, the justices,^e and their party in the council, privately wrote to the Earl of Leicester, Lord Lieutenant of Ireland ; and after telling him, they expected and hoped for his secrecy, and that they could not open themselves with freedom at the council-board, they besought his lordship that no such overture should be accepted ; and among other reasons, because the charge of supplies from England, would be abundantly compensated out of the estates of those who were actors in the rebellion."* From this information, the Lords Dillon and Taaffe, with their papers, were seized at Ware, by order of the English house of commons ; and detained in custody several months, till they made their escape
to

³ Carte's *Orm.* vol. i. fol. 194.

⁴ *Id.* ib.

^d Borlase himself confesses, that upon the lords justices having taken into the army a great number of protestants, who then fled from all parts of the country to Dublin, " the state, at that time, had store of arms and ammunition, by which the soldiers, and the rest, were seasonably furnished." *Hist. of the Irish Rebel.* f. 45.

^e " Whatever," says Dr. Leland, " were the professions of the chief governors, the only danger they really apprehended, was that of a too speedy suppression of the rebellion. Extensive forfeitures was their favourite object, and that of their friends." *Hist. of Ir.* vol. iii. p. 160-1.

to the king, then at York ; but it was then too late to offer a remedy, as the insurrection was become in a manner general.

C H A P. XII.

The nobility and gentry of the pale banished from Dublin.

THE lords justices had lent a few arms to Lord Gormanstown, and some gentlemen of the pale, for the defence of their houses in the country ; which, however, they soon after recalled, “ thereby renouncing all confidence in them, though nothing had happened to give occasion to any further suspicion of them, than when the arms had been entrusted to them. The arms particularly assigned to Mr. John Bellew, high sheriff and knight of the shire for the county of Louth, were so quickly demanded back, that they were not delivered. Their habitations being thus rendered defenceless, they quitted the country and came up to Dublin, to put themselves, as they thought, under the eye and protection of the government ; but the justices, instead of allowing them such an asylum,² on the next day after sending for the arms, published a proclamation requiring these noblemen and gentlemen, with others not having necessary cause of residence in the city or suburbs of Dublin, and the places within two miles about the same, to be approved of by a council of war, to repair to their respective homes in twenty-four hours, after the publication of the proclamation,² upon pain of death.”

Sir

¹ Ib. vol. i. fol. 238.

² Id. ib.

² It appears from Borlase, that these justices published two proclamations of that kind, even before the end of October, 1641. For that writer, after having said that they had issued a proclamation, “ in his majesty’s name, commanding all persons, not dwellers in the city and suburbs, to depart within an hour after

Sir Robert Talbot, whose houses had been burned by the Irish, on account of the service he had rendered the English,³ “ found it necessary, at this time, to bring his lady and family to Dublin; where he again tendered his service to the lords justices, offering to raise men, if they would furnish him with arms, to fight against the rebels; but these were denied him, nor could either his offers, or his late services, prevail for leave to continue in Dublin. He was forced, by the proclamation on pain of death, to leave the city in twenty-four hours; and having no sure place of retreat, he was obliged to sculk and live privately, for a long time, for fear of the Irish, till the breach between the king and the parliament of England, when he entered into the Roman catholic confederacy; doing however, during all the time of the troubles, all the good offices in his power, sometimes with the hazard of his life, to preserve the English, and dispose the Irish to submit to the cessation, and afterwards to the peaces of 1646 and 1648, to which he constantly adhered.” And yet his family had the mortification to see his great estate given to the Cromwellian adventurers and soldiers, by acts of parliament,

C H A P.

³ Carte's *Orm.* vol. i. fol. 238.

after publication, on pain of death,” adds, “ that the state, on the 28th of October, published a proclamation to the same intent with the former, with the penalty of death to such as wilfully harboured them.” *Irish Reb.* fol. 44.

Another proclamation of the like tenour, and on the penalty of death, was issued by these justices, on the 11th of November following. *Ib.* fol. 49.

C H A P. XIII.

The justices invite the lords of the pale to a conference.

NO signs of a general insurrection had yet appeared in the provinces of Leinster, Connaught or Munster, when a report being spread of spoils committed on some of the English in the county of Wicklow,¹ Sir Charles Coote was commanded from Dublin thither with a body of troops; where, in the town of Wicklow,¹ he cruelly put to death several innocent persons, without distinction of age or sex.² Among other instances, he is charged with saying, when a soldier was carrying about a poor babe on the end of his pike,³ "that he liked such frolicks." Upon his return to Dublin from this expedition, the justices appointed him governor of the city,⁴ in recompence for that service. At the same time, a rumour was spread, that he had made a proposal at the council-board, for executing a general massacre on all the catholics; which, from the character^b of the man, was easily credited.

On

¹ Carte, Warner, &c. ² Carte's Orm. vol. i. fol. 243.

³ Id. ib. ⁴ Ib. fol. 259.

^a "Sir Charles Coote, at Ballinalloe, got some cattle and a great quantity of cloth, killing many foldiers in their beds." Borl. Hist. of the Irish Rebel. f. 101. Sir Frederick Hamilton, by all accounts, was equal in cruelty to Sir Charles Coote, yet, says Borlase, "a diary of which (his exploits in this war), even from the 23d of October 1641, to the end of the ensuing year, I have read with much satisfaction." Ib. fol. 113.

^b "He was a stranger to mercy, and committed many acts of cruelty, without distinction, equal in that respect to any of the rebels." Warner's Hist. of the Irish Rebel. p. 135.

"Sir Charles Coote," says Dr. Leland, "in revenge of the depredations of the Irish, committed such unprovoked, such ruthless and indiscriminate carnage in the town of Wicklow,

On the 3d of December, 1641, the lords justices directed letters to the lords of the pale, whom they had lately driven from Dublin, acquainting them,^s "that they had immediate occasion to confer with them, concerning the present state of the kingdom." These noblemen knew, that the day before these letters were sent, the catholics of Dublin had been disarmed; that they themselves, lying most exposed to the rebels, could not hinder their entrance into their houses in the country,^c to which they had been banished from Dublin, by the proclamation on pain of death; or the paying of them contribution, which, in the eye of the law was criminal, though unavoidable. They could not imagine why these lords justices, who had, about a fortnight before, thought their abode in Dublin incompatible with the safety of the state, should now, by a sudden turn of sentiment, invite them thither, to be consulted with on that subject. Hence it was natural for them to suspect, that the summons was only an artifice, to draw them to Dublin; and when they were there, to seize on their persons, and confine them

^s Carte's Ormond, vol. i.

as rivalled the utmost extravagancies of the northerns." Hist. of Irel. vol. iii. p. 146.

In April 1642, pursuing the rebels at Trim, "he was (says Borlase) unfortunately shot in the body, as it was thought, by one of his own troopers, whether by design or accident was never known. And this end (adds he) had this gallant gentleman, who began to be so terrible to the enemy, as his very name was formidable to them. His body was brought to Dublin, and there interred with great solemnity, floods of English tears accompanying him to his grave; by his death the fate of the English interest in Ireland, seemed eclipsed if not buried." Hist. Irish Rebel. fol. 104.

^c About this time, "the forces of the northern insurgents about Drogheda, and between that place and Dublin, amounted to twenty thousand men. The lords and gentry of the pale, unable to resist so vast a body, that were entire masters of the field, kept themselves quiet in their own houses, not thinking it prudent, by a weak and fruitless opposition, to provoke an enemy that could destroy them in a moment." Carte's Orm. vol. i. fol. 243.

them to an irksome prison, and perhaps prosecute them at law, with a severity which might end in the forfeiture of their estates, the ruin of their families, and the taking away of their lives by an ignominious execution.

Such were the reasons that hindered the lords of the pale to pay obedience to the justices summons of the 3d of December, 1641. By appointment, however, they met together on the 7th; and then drew up a letter to the state, importing,⁶ "that they had heretofore presented themselves to their lordships, and freely offered their advice and furtherance towards the safety of the kingdom, which having been neglected, gave them cause to conceive, that their loyalty was suspected by their lordships." They added, "that they had received certain advertisement, that Sir Charles Coote, at the council-board, had uttered some speeches, tending to a purpose to execute upon those of their religion, a general massacre; by which they were deterred from waiting on their lordships, not having any security for their safety against those threatened evils; and rather thought it fit, to stand upon their best guard, until they heard from their lordships, how they should be secured from those perils; protesting, nevertheless, that they were, and would continue, both faithful advisers and resolute furtherers of his majesty's service, concerning the present state of the kingdom, and the safety thereof, to their best abilities." This letter

⁶ Temple, Carte, &c.

^a "Some," says Mr. Carte on this occasion, "have not scrupled to surmise, that the lords justices never expected these noblemen would comply with their summons; and that all the measures they took at the same time, were taken expressly with a design to terrify them from trusting themselves in Dublin; and from thence to take some advantage for the forfeiture of their estates. It answered this end very well, that Sir Charles Coote, immediately after his inhuman executions and promiscuous murders of the people in Wicklow, was made governor of Dublin at the very time of sending out the summons to the lords of the pale." *Life of Orm.* vol. i. 258.

letter was subscribed by the Earl of Fingall, the Lords Gormanstown, Slane, Dunsany, Netterville, Louth, and Trimblestown.

C H A P. XIV.

The gentlemen of the pale assemble at Swords.

ON the same 7th of December, on which the above-mentioned letter was drawn up,¹ “a party of horse and foot being sent by the justices, into the neighbourhood of Dublin, in quest of some robbers, came to the village of Santry, where they murdered some innocent husbandmen (whose heads they brought into the city in triumph), on pretence that they had harboured and relieved the rebels, who had made inroads and committed depredations in these parts. Hard,² indeed,” says Mr. Carte, “was the case of the country people at that time, when not being able to hinder parties of robbers and rebels, from breaking into their houses, and taking refreshments there, this should be deemed a treasonable act, and sufficient to authorize a massacre.”

The next morning, complaint being made to the government of this outrage, no redress was obtained. Whereupon, some gentlemen of quality and others, inhabitants of that part of the country, being justly alarmed at these proceedings, and mindful of the report of Coote’s barbarous proposal at the council-board, forsook their houses, and prepared for their defence. For this massacre following so soon after³ “the executions and murders, which Sir Charles Coote had ordered in the county of Wicklow; his being made governor of Dublin for that service; and the catholics of that city being all disarmed, the day before the lords of the pale were invited to a conference there, confirmed their belief of the truth of the report, that
a general

¹ Carte, Temple, Borlase.

² Cart. Orm.

³ Id. ib.

a general massacre of those of their religion was intended."

Wherefore these gentlemen assembled together, on the 9th of December, at Swords, a village distant from Dublin about six miles; and on the 10th, the justices issued their warrant,⁴ "commanding them to separate, on sight of it; and that nine of the principal persons so assembled, should appear before them, at the council-board, by ten of the clock the next morning, to shew the cause of their assembling together in that manner."⁵ To this warrant they returned an answer on the same day, to the following effect: "that they were constrained to meet there, for the safety of their lives, which they conceived to be in no small danger, having being forced to forsake their dwellings on the last Tuesday at night, by the rising out of horse troops and foot companies, who, on the said night, killed four catholics, for no other reason, but because they bore the name of that religion; and that they had been before put into many fears, by certain intelligence given them of unexpected attempts against their lives. Wherefore, they desired ardently to be in some certain way assured by their lordships of the safety of their lives, before they ran the hazard thereof; which was the only motive, that hindered them from manifesting that obedience, which they knew to be due to their lordships commands."

⁴ Temple's Hist. of the Irish Rebel.

⁵ Id. ib.

C H A P. XV.

The Lords justices violate the public faith.

THE justices seeming to comply with these gentlemen's ardent desire above-mentioned, issued a manifesto, dated the 14th of December,^a but not published till the 15th;¹ wherein they allowed them the space of two days, viz. until the 17th of that month, for their appearing before them in Dublin; and in order to induce them to appear then,² "they gave them the word of the state, that they might safely and securely repair thither, without danger of any trouble or stay whatsoever." And yet, on the same 15th of that month,³ they detached a party of horse and foot to Clontarf, under the command of Sir Charles Coote, with orders "to fall upon and cut off" the inhabitants, and burn the houses of that village, which belonged to Mr. King, one of those gentlemen assembled at Swords, to whom, by name, the public faith had been given. "These orders," says Borlase, "were excellently well executed;"^b though it is confessed, that

¹ Remonstrance from Trim.

² Borl. Hist. of the Irish Rebel. fol. 61.

³ Id. ib.

⁴ Id. ib. Temple.

^a Borlase says it was dated the 13th, and gave them till the 18th of December to come in; and yet he owns, "that the order to Sir Charles Coote to burn Clontarf (which he recites with Ormond's name to it among the rest) is dated the 14th of that month." Hist. of the Irish Reb. f. 61.

"This proclamation was sent and delivered to Lord Gormanston on the 15th, by father Cahill, whom the justices had lately employed in a treaty with the Ulster rebels." Carte's Orm. vol. i. fol. 249.

^b "Sixteen of the poor towns-people were killed by Sir Charles Coote's foldiers, on that occasion." Collect. of Massac. committed on the Irish. "In the same week fifty-six men, women and children, being frightened at what was done at Clontarf,

that "no opposition was made." "Sir Charles Coote,⁵ who by the lords justices special designation, was appointed to go on this expedition, as the fittest person to execute their orders, and one who best knew their minds, at this time pillaged and burned houses, corn, and other goods belonging to Mr. King, to the value of four thousand pounds."

The pretended plunder of an English bark,^d by some of the common people of that village (part of which plunder is said to have been put into Mr. King's house in his absence, and is made the sole pretence for this breach of public faith), must have happened, if at all, some time before this manifesto was published. For

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the

⁵ Carte's *Orm.* vol. i.

tarf, took boats and went to sea, to shun the fury of a party of soldiers come out of Dublin, under the command of Colonel Crafford; but being pursued by the soldiers in other boats, were overtaken and thrown overboard." *Ib.*

^c "Which was but a sorry encouragement to him," says Mr. Carte, "to accept their invitation to Dublin, and gave just grounds of apprehending, at least, some danger of trouble; from which danger the manifesto pretended to secure him, as well as the rest that were assembled at Swords." *Orm.* vol. i. fol. 254.

^d Mr. Carte's observation on this occasion is pertinent and just: "No account of this affair," says he, "takes the least notice of any men on board the bark, or of any ill treatment that they met with; which had there been any, would have been unavoidable, and could not have failed of being mentioned by those who relate it; so that it seems to have been a vessel deserted or wrecked; in which case, people that live on the sea-coasts, influenced by a common but barbarous notion, are apt to deem and treat goods aboard as lawful plunder." *Life of Orm.* vol. i. fol. 246.

N. B. In the lords justices order to burn Clontarf, and destroy its inhabitants, there is no mention made of the inhabitants having plundered an English bark being the cause of that order. See *Borl. Ir. Rebel.* f. 61. Borlase adds, that the number of fishing-boats at Clontarf, and this plunder, "did much disquiet the lords justices and council, suspecting that, thereby, the port of Dublin might have been blocked up." *Id.* *ib.* fol. 62. Sir Charles Coote burnt Clontarf the 15th of December, 1641. *Id.* *ib.*

the justices made express mention of it, in their letter to the Earl of Leicester of the 14th of December;⁶ on which day too, their order to pillage and burn Clontarf is dated, although their manifesto was not published till the 15th. In that letter, their lordships express their intention of ordering that expedition; and after betraying a guilty consciousness,⁷ “that the gentlemen of the pale would take new offence thereat;” they add, “but that we will adventure upon.” From whence it evidently appears, that on the very day before that on which they published their manifesto, they had taken a resolution to violate it.*

C H A P. XVI.

The order for a general pardon limited by the justices.

BUT if even this perfidious measure should be found insufficient to excite these gentlemen to any hostile or disloyal attempt, the justices had still in reserve, divers other means equally calculated for that iniquitous purpose. Their lordships had, about this time, received “an order of both houses of the English parliament,” dated November 30th, directing them, to grant his majesty’s pardon to all those who, within a convenient time, should return to their obedience.” Yet, notwithstanding this order for a general pardon,^a they still

* See Temp. Irish Rebel.

⁷ Id. ib.

¹ Id. ib.

* “The lords justices, as soon as they were satisfied that the lords of the pale would not trust themselves in the city in the hands of Sir Charles Coote, though they were ready to treat with commissioners sent from thence to any place out of his power, took measures in order to convict them of treason, and forfeit their estates.” Carte’s Orm. vol. i. fol. 275-6.

^a “It was not the (English) parliament’s intention to extirpate that whole nation, but they ordered mercy and pardon, both as to life and estate, should be extended to all husbandmen, labourers, artificers, yea to (persons of) higher rank and quality,

still continued their former proclamation, which was so limited,² with respect to persons, places and time; and clogged, besides, with such impracticable conditions, that they must have been themselves sensible, that it was apter to prevent than to produce submissions. For first, it absolutely precluded freeholders from all hopes of pardon; "because," says Lord Castlehaven,³ "they had estates to lose." And on the other hand, the poorer Irish, who alone had been guilty of the depredations, and other mischiefs then committed, were to be pardoned upon such terms only, as it was not in their power to comply with. "For their pardon," says Temple,⁴ "was to be granted only, on condition of restoring the goods and chattels taken from the British;" which restitution, the same writer confesses,⁵ "it was impossible for them to make." Besides this pardon, instead of being general (as both houses of the English parliament intended it should be), extended only to the lower people of four counties, viz. Meath, Westmeath, Louth and Longford, "in two of which counties,"⁶ no body of insurgents had yet appeared." And the time allowed for their coming in, being stinted to ten days, it was hardly possible, as the nation was then circumstanced, for half the persons concerned to receive

² Id. ib.³ Memoirs.⁴ Ib. p. 48.⁵ Ib. p. 49.⁶ Carte's Ormond, vol. i.

lity, according to the respective demerits and considerations under which they fell, and that all should enjoy the benefit of their articles." Scobel's Acts, fol. 197. from Borl. Hist. of the Irish Rebel. fol. 70.

"In another instance," says Dr. Leland, "the conduct of these wretched governors was still more suspicious; they received instructions for a general pardon to such rebels as should submit within a certain time, to be limited by the lords justices. But no proclamation was published, no pardon offered in consequence of these instructions. A pardon offered in the name of the English parliament, must have had greater influence than any act of an Irish ministry, despised and suspected by the body of the nation. But the chief governors, and their creatures, were experienced in the art of converting forfeitures to their own advantage." Hist. of Ireland, vol. iii. p. 339-40.

receive even notice of the proclamation, much less to surrender themselves on so short a warning.

In like manner, when his majesty afterwards sent these justices his proclamation of January 1st, 1641, granting a general pardon to these insurgents, upon their submission ;⁷ “ they secreted the copies of it to such a degree, that the lords and gentlemen of the pale, who lay nearest Dublin, could not get a sight of one of them.” Nay, instead of pursuing such pacific and conciliating measures, they, on the 1st of February following, commanded out the Earl of Ormond, with a powerful army, on an expedition to the county of Kildare ; where, “ pursuant to his orders,” says Mr. Carte,⁸ “ he burnt Newcastle and Lyons, and gave up Naas to his soldiers to plunder ; having sent out parties to burn Castle-Martin, Kilcullen-bridge, and in short, all the country for seventeen miles in length, and twenty-five in breadth.”^b

The

⁷ Carte's *Orm.* vol. i. fol. 296.

⁸ *Ib.*

^b About the beginning of February 1641, “ the prisons of Dublin were so filled with prisoners, that the lords justices, on account of the scarcity of victuals, thought it necessary to thin them ; but as it was difficult, or rather impossible, for want of freeholders, to find juries of the proper counties where the crimes were acted, so there was no bringing these criminals to a legal trial. In this necessity it was determined, to cause a considerable number of them to be executed by martial law. Men of estates were exempted from the rigour of that law, in order to preserve the king's escheats upon legal attainders, so that these execution fell intirely upon the poorer sort, and such as had no freeholds ; particularly upon the Romish priests, whose execution would exasperate the Irish to the highest degree : and yet these lords justices pretended, in the postscript of their letter to the lord lieutenant, January 20th 1741, that they had juries to find indictments for the counties of Meath, Wicklow, and Kildare ; for the two first of which, as well as for that of Dublin, within two days afterwards, bills of high treason were found against all the lords and prime gentlemen, as also against three hundred persons of quality and estate in the county of Kildare, among whom were the old Countess of Kildare, Sir Nicholas White, his son Captain Nicholas White, and others, who had never joined the rebels, so much expedition was used in this affair.” *Cart. Orm.* vol. i. fol. 278.

The Earl of Ormond was more implicitly obedient to these lords justices orders, than became either a true lover of his country, or a faithful subject of his king. He was not insensible of their lordships criminal connection with the prevailing faction in the English parliament; nor of the flagrant iniquity of many of these orders; for although, while they remained in the government, he "protested to Sir Henry Vane," who was one of the leaders of that faction, "upon the faith of an honest man, that he loved and honoured their persons," yet, upon the disgrace of Sir William Parsons,^c he confessed to Lord Clanrickard, who, he knew, detested them,¹⁰ "that during their administration, the parliament's pamphlets were received as oracles, its commands obeyed as laws, and extirpation preached for gospel."

The "lords of the pale made no opposition to any of those parties that were detached to make the above-mentioned general devastation. But it affected Lord Gormanstown, the principal mover of their union, to such a degree, that he died not long after of grief; and the rest of the lords of the pale, grown desperate, laid aside all thoughts of pardon or treaty; and joined all their forces for the support of the common cause; in which many others who had as yet stood out soon joined, fearing that they should at last be involved in the others fate, since a total extirpation was intended."^d

C H A P.

⁹ Cart. Orm. vol. iii. fol. 43.

¹⁰ Id. ib. fol. 170.

¹¹ Id. ib. vol. i. fol. 303.

^c Sir William Parsons was then a prisoner by his majesty's express command. The charge against him was debated in a full council, thirteen members besides the lords justices, and the Marquis of Ormond being president. Even Lord Borlase, his late colleague, voted for securing his person. Carte. Orm. vol. iii. fol. 449.

^d "The arbitrary power exercised by these lords justices, (says Dr. Warner) their illegal exertion of it by bringing people to the rack to draw confessions from them; their sending out so many parties from Dublin and other garrisons to kill and destroy the rebels, in which care was seldom taken to distinguish, and men, women

C H A P. XVII.

Lords justices orders concerning Roman catholic priests.

IN this expedition to the county of Kildare, " the soldiers found one Mr. Higgins, a priest,' at Naas, who might if he pleased have easily fled, if he apprehended any danger in the stay. When he was brought before the Earl of Ormond, he voluntarily confessed, that he was a papist, and that his residence was in the town, from whence he refused to fly away, with those that were guilty, because he not only knew himself very innocent, but believed, that he could not be without ample testimony of it ; having by his sole charity and power, preserved very many of the English from the rage and fury of the Irish ; and therefore, he only besought his lordship to preserve him from the violence and fury of the soldiers ; and put him securely into Dublin to be tried for any crime ; which the earl promised to do, and performed it ; though with so much hazard, that when it was spread abroad among the soldiers that he was a papist, the officer in whose custody he was intrusted, was assaulted by them ; and it was as much

* Clarendon. Borl. Hist. of the Irish Rebel.

women and children were promiscuously slain ; but above all the martial law executed by Sir Charles Coote, and the burning of the pale for seventeen miles in length and twenty-five in breadth, by the Earl of Ormond ; these measures not only exasperated the rebels and induced them to commit the like or greater cruelties, but they terrified the nobility and gentry from all thoughts of submission, and convinced them that there was no room to hope for pardon, nor any means of safety left them but in the sword." Hist. of the Irish Rebel. p. 183.

" The favourite object both of the Irish government and English parliament, was the utter extermination of all the catholic inhabitants of Ireland. Their estates were already marked out, and allotted to their conquerors ; so that they and their posterity were consigned to inevitable ruin." Lel. Hist. of Irel. vol. iii.

much as the earl could do to compose the mutiny. When his lordship came to Dublin, he informed the lords justices of the prisoner he had brought with him, and of the good testimony he had received of his peaceable carriage; and of the pains he had taken to restrain those with whom he had credit, from entering into rebellion; and of many charitable offices he had performed; of all which there wanted not evidence enough, there being many then in Dublin, who owed their lives, and whatever of their fortunes was left, purely to him. Within a few days after, when the earl did not suspect the poor man's being in danger, he heard that Sir Charles Coote, who was provost marshal general, had taken him out of prison, and caused him to be put to death in the morning, before or as soon as it was light; of which barbarity the earl complained to the lords justices; but was so far from bringing the other to be questioned, that he found himself upon some disadvantage, for thinking the proceeding to be other than it ought to have been."^a

"It was certainly a miserable spectacle, as Lord Castlehaven observes in his manuscript vindication of his memoirs, to see every day numbers of people executed by martial law, at the discretion, or rather caprice of Sir Charles Coote, an hot-headed and bloody man, and as such accounted even by the English and protestants. Yet this was the man, whom the lords justices picked out to entrust with a commission of martial law, to put to death rebels or traitors, that is (continues his lordship) all such, as he should deem to be so; which

^a Mr. Carte observes, "that the hanging of this man (deserving in many respects, and exceptionable in none but that of his religion) by martial law, by Sir Charles Coote's authority, without a particular warrant from the state, seems perfectly well calculated to justify the fears which the lords of the pale pretended to have of trusting themselves in a place whereof that gentleman was governor." *Life of Orm.* vol. i. fol. 280.

Doctor Borlase, in order to excuse this barbarous act of Sir Charles Coote, alleges, "that if he had not done it, his provost marshal's commission would have been violated, and that he might have been brought to answer his contempt at a council of war." *Hist. of the Irish Rebel.* p. 324.

which he performed with delight, and a wanton kind of cruelty; and yet, all this while the justices sat in council; and the judges, in the usual seasons, sat in their respective courts, spectators of, and countenancing so extravagant a tribunal as Sir Charles Coote's, and so illegal an execution of justice." ¹

The Earl of Ormond, though lieutenant general of his majesty's army, had it not, it seems, in his power to save the lives of any popish priests however innocent or meriting, whom he should happen to meet with in his march. For soon after, "his lordship having promised the Countess of Westmeath to preserve her chaplain, Mr. White, whom he found at her house, from the fury of the soldiers while he remained there; the poor man having on some occasion left it the next day, was taken abroad by them, and brought to the earl, whom he reminded of the protection he had promised him the night before; but he was only answered, that if he had stayed in the house he was in, this would not have befallen him; and that it was then out of his power to preserve him, himself being bound to pursue those orders which the lords justices had given him. Nevertheless," continues Clarendon, "he did endeavour to have saved him, at least, till he might be brought to Dublin; but the whole army, possessed with a bitter spirit against the Romish clergy, mutinied upon it; and in the end, compelled his lordship to leave him unto that justice which they were authorised to execute, and so put him to death."

C H A P. XVIII.

The cause of the insurrection in Munster.

IT was in the middle of December 1641,¹ before any gentleman, in the province of Munster, appeared to favour the insurrection. Many of them had shewn themselves

² Cart. Orm. vol. i.

³ Clarend. History of the Irish Rebel.

¹ Cart. Orm. vol. i.

themselves zealous to oppose it, and tendered their service to that end. Lord Muskerry, who had married a sister of the Earl of Ormond's, offered to raise a thousand men, at his own charge; and, if the state could not supply them with arms, he was ready to raise money by a mortgage of his estate, to buy them, if when the service was ended, he might either keep the arms, or be reimbursed what they cost him; nor did any signs of uneasiness or disaffection appear among the gentry, till Sir William St. Leger,^a lord president of that province, came to Clonmell; which was on the first of that month. There had been, a few days before, some robberies committed in the county of Tipperary, by a rabble of the vulgar sort, and a parcel of idle young fellows of the baronies of Eliogurty, Killemana, Clanwilliam, and Middlethyrde; who, as soon as they had got their prey, divided it, and retired to their several parishes. Among other English who suffered, a great number of cows and sheep were taken from Mr. Kingmill of Ballyowen, brother-in-law to the lord president. Sir William St. Leger upon notice thereof came in two or three days with two troops of horse, in great fury,^b to Ballyowen; and being informed the cattle were driven to Eliogurty, he marched that way. As he set forth, he killed three persons at Ballyowen, who were said to have

^a Sir William St. Leger himself informs us, that on the 8th of November, 1641, every thing was perfectly quiet in that province; for in a letter of that date to the Earl of Ormond, he says, "these lines serve to no other purpose than to give your lordship a confident assurance that if it should please God any commotion should rise in this part, of which, I thank God, as yet there is no manner of appearance, I should seriously endeavour to do your noble sweet lady, your mother and my sweet god-son, as much service as possibly in me lay." Carte's *Orm.* vol. iii. fol. 38.

^b "In Munster the first symptoms of commotion appeared in some petty ravages and robberies, which were punished by the lord president, Sir William St. Leger, with a barbarous severity. The disaffected remonstrated to St. Leger on the rigour of his executions, were received with disdain and insolence, pleaded the necessity of self-defence, and declared for war." *Lel. Hist. of Irel.* vol. iii. p. 154.

have taken up some mares of Mr. Kingsmill's ; and not far off, at Grange, he killed or hanged four innocent labourers ; at Ballymurrin six, and Ballygalburt eight ; and burnt several houses. From thence Capt. Paisly marching to Armail, killed there seven or eight poor men and women, whom he found standing abroad in the streets, near their own doors inoffensively ; and passing over the river Ewyer, marched to Clonalta, where, meeting Philip Ryan, the chief farmer of the place, a very honest and able man, not at all concerned in the robberies, he, without any enquiry, either gave orders for, or connived at his being killed, as appeared by his cherishing the murderer. The Captain went from thence to meet the lord president ; where several of the chief nobility and gentry of the country, being surprized at these rash and cruel proceedings, waited upon his lordship with their complaints, which were rejected, and the Captain applauded for what he had done. Among these gentlemen, was James Butler, Lord Baron of Dunboyne ; Thomas Butler of Kilconnel, James Butler of Kilveylagher, Theobald Butler of Armail, Richard Butler of Ballynekill, Philip O'Dwyer, and several others of good quality.

“ They observed to the lord president how generally the people were exasperated by these inconsiderate cruelties, running distractedly from house to house ; and that they were on the point of gathering together in great numbers, not knowing what they had to trust to, and what was likely to be their fate. They told him that they waited upon his lordship, to be informed how affairs stood, and that they coveted nothing more than to serve his majesty and preserve the peace, and desired that he would be pleased to qualify them for it with authority and arms ; in which case they would not fail to suppress the rabble and secure the peace of the country. The president did not receive their representation and offer in the manner they expected ; but in an hasty furious way, answered them, that they were all rebels, and that he would not trust one soul of them ; but thought it more prudent to hang the best of them. And in this extraordinary humour he continued all the while these and other

other persons of quality, their neighbours, were waiting upon him. This made them all withdraw and return to their houses; much resenting his rudeness and severity, as well as very uncertain about their own safety; some of them imagining that this distrusting of their loyalty and destroying of their reputations, was the preface to a design of taking away their lives. From Clonmell, Sir William St. Leger marched into the county of Waterford, and his soldiers in the way, as they went and returned from the Wexford-rebels, killed several poor harmless people, not at all concerned in the rebellion, or in the plunder of the country; which also incensed the gentlemen of that county, and made them prepare for standing on their defence.”^c

For what wicked purposes the noblemen and gentlemen of that province were thus basely insulted and threatened, so as to be driven to the necessity of arming in their own defence, may be gathered from a letter of the old Earl of Cork (so notorious for his rapacity in the two former reigns) to the speaker of the English house of commons on the 22d of August, 1642, wherein he

^c “In this sudden and violent commotion, the southern leaders, however provoked by the cruelties of St. Leger, yet expressed a laudable solicitude to preserve both the persons and the fortunes of the English from any outrage.” *Lel. ubi supra*, p. 154.

Temple informs us on this occasion, “that Sir William St. Leger gallantly pursued these rebels, and that after a long and tedious march, he came upon them unawares, and slew two hundred of them, besides several whom he took prisoners and hanged.” *Hist. of the Irish Rebel*. p. 159.

Sir William himself, in a letter to the Earl of Ormond, November 8th, 1641, says, “that they were then only a company of ragged, naked, rogues, that with a few troops of horse would be presently routed.” *Cart. Orm.* vol. iii. p. 38.

And in another letter on the same subject to the same, December 11th, 1641, acquainting him with what sort of rebels he had been engaged, he says, “never was the like war heard of; no man makes head; one parish robs another, go home and share the goods, and there is an end of it; and this by a company of naked rogues.” *Cart. Orm.* vol. iii. fol. 47.

He was so keen in the pursuit of this bloody affair, that he says in the same letter, “his saddles had scarce been off his horses, or himself or his friends shifted for fourteen days.” *Id. ib.*

he says, that he had, in that short space of time, "with the assistance of the Earl of Barrymore, the Lord Viscount Kilmalloch, and his two sons, the Lords Dungarvan and Broghill, by the advice of the lords justices and council, indicted the Lords Viscounts Roche, Mountgarret, Skerrin, and Muskerry, and the Barons of Dunboyne and Castleconnel, with the son and heir of the Lord Cahir, Theobald Purcell, Baron of Loughmore, Richard Butler of Kilcash, Esq; brother to the Earl of Ormond, with all other baronets, knights, esquires, gentlemen, freeholders and popish priests, that either dwelled or had done any rebellious act in these counties, in number above eleven hundred persons." And he tells him further, "that he made bold to send these indictments unto him to be presented to the house, to the end that they may be there considered of by such members thereof as are learned in the laws; that if they be wanting in any formal point of law, they may be reformed and rectified, and returned unto him, with such amendments, as they should think fit; and so if the house please to direct to have them all proceeded against to outlawry, whereby his majesty may be entitled to their lands and possessions, which (adds he) I dare boldly affirm, was at the beginning of this insurrection, not of so little yearly value as two hundred thousand pounds. This proceeding he very properly and emphatically calls, the work of works."²

C H A P. XIX.

The cause of the insurrection in Connaught.

THAT the like inhuman treatment of the natives in Connaught, by persons placed in authority there, occasioned the first rise, and subsequent extension of the troubles in that province, appears from the authentic testimony of the Earl of Clanrickard, who was governor of Galway, during the whole time of this war.

By

² Orrery's State Letters, vol. i.

By his lordship's great activity and vigilance, that province continued quiet for many weeks after the insurrection commenced; "and did utterly dislike the proceedings of the insurgents." ¹ The county of Galway in particular, on the 6th of December 1641,² remained undisturbed. But on the 23d of the following month, the case seems to have been very different; which Lord Clanrickard seems to impute (in a letter of that date to the Duke of Richmond) to the mal-administration of the lords justices, as already related, both before and after the insurrection began.³ "All," says he, "are generally discontented with those, who manage the affairs of state here, whom they charge with secret practicing in both kingdoms, before the commotions began, to raise parties to destroy their religion, and divert and hinder the king's graces, intended towards them, and by that means, to put them into desperation, that they may forfeit their lives and fortunes. And since the distempers began, the same persons have disposed of affairs, as if the design was to put the whole kingdom into rebellion, as now it is."

His lordship in a letter to the Earl of Ormond in June following, grievously complained,⁴ "that insults offered to himself, within the limits of his government, were, at least, connived at; that one of his best manors was ravaged, by some of the army under Ormond's own command; and that outrages were committed on others in that district, who had protections from the state; and who," says he, "fill these parts with their sad complaints, distracting most men's minds to desperation; which he doubted not would be of dangerous consequence to the whole province; as he then understood

¹ Minute of Lord Clanrickard's letter in the council books.

² *Ib.* ³ *Clanrick. Mem. Cart. Orm. vol. iii.*

⁴ *Cart. Orm. vol. iii.*

^a In June 1642, some regiments, "were dispatched for Connaught, and accompanied thither by the lord lieutenant, who in that expedition took in Knocklynch, a strong castle of Mr. Lynch's; the besieged, except women, not accepting quarter, were put to the sword." *Borl. Irish Rebel. fol. 104.*

stood that the people began to prepare for their defence, and gathered all the forces they could make.”

In another letter his lordship says, “ that the lords justices proceedings towards him were so laid, as if the design were to force him, and his, into rebellion.”⁵

These outrages were now so much increased, that his lordship acquainted the justices, that since the time he made his former complaint to them, which was on the 27th of the preceding month of June,⁶ “ scarce any day passed without great complaints of the captain of the fort of Galway, and the commander (Lord Forbes) of a ship of war,^b then lying in the harbour, fallying out

⁵ Clanrick. Mem. Engl. ed. f. 180. ⁶ Cart. Orm. vol. iii.

^b “ Lord Forbes, lieutenant general under Lord Brook, came the 9th of August 1642, to besiege the town of Galway with a fleet; and having taken possession of the abbey near adjoining, landed many of his battering guns; great streights he had been put to, though at length happily relieved by the Earl of Clanrickard, when he was closely beleaguered, together with the archbishop of Tuam, Richard Boyle and his family, besides thirty-six ministers, twenty-six of which served as soldiers, and did their duty.” After all the Lord Forbes prepared to make his approach to the town, but not being strengthened by any supply from the lord president (Lord Ranelagh) or Sir Charles Coote, and disheartened by Captain Willoghby (governor of the fort for Sir Francis his father) in that every house in the town was a fort, he drew off, being persuaded to a composition to be paid in money within two months, which he never got.” Borl. Irish Rebel. fol. 107.

“ Lord Forbes had brought along with him the famous Hugh Peters as his chaplain, and was much governed by his advice.” Cart. Orm. vol. i. fol. 347.

This Peters and one Dell, another Presbyterian minister, seem to have afterwards started the first hint of the project of the king's murder. An anonymous letter, November 9th, 1647, to the following purpose, was privately handed to his majesty. “ In discharge of my duty I cannot omit to acquaint you, that my brother was at a meeting last night with eight or nine agitators; who in debate of the obstacle which did most hinder the speedy effecting their designs, did conclude it was your majesty; and that as long as your majesty doth live it would be so: and therefore resolved, for the good of the kingdom, to take your life away; and that to that action, Mr. Dell and Mr. Peters, they

out with their soldiers, and trumpet, and a troop of horse; burning and breaking open houses, taking away goods, preying of the cattle, with ruin and spoil, rather than supply to themselves; and all this committed, not only upon those who were protected, but upon them who were most forward to relieve and assist them, not sparing mine," adds his lordship, "frequently upon fancy, or rumour, without examining the occasion; the captain of the fort shooting his ordnance into the town, or threatening to do it, keeping disorderly sentries at every gate, abusing those that offer to go out, threatening to take them prisoners to the fort, and to exercise martial law upon them; killing, and robbing poor people, that came to market, burning their fisher-boats, and not suffering them to go out, and no punishment inflicted upon any that committed these outrages; and, as I am well informed," adds he, "acting most things without any regard to the king's honour engaged, or any respect at all to me, in action, though much in profession."

"These particulars, my lords," proceeds Lord Clanrickard, "do so distemper and disquiet all men's thoughts, even those that have been most forward to do service, that it is like to be of most dangerous consequence at this time, when Mayo, Sligo, Thomond, and other countries, have prepared forces, and are ready to fall upon my lord president and myself. I must there-

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they were well assured, would willingly bear them company; for they had often said to these agitators, your majesty is but a dead dog. My prayers are for your majesty's safety; but I do too much fear it cannot be, while you are in those hands." *Reliquiæ Carol. Sacræ.* p. 207.

In consequence of this information, his majesty privately withdrew himself from Hampton-court, on the 11th of the same month, attended only by Sir John Berkley, Ashburnham, and Legg.

"In the middle of July 1642. None were more forward or came in greater numbers than the county of Mayo men; and the rather because in all the conflicts of Connaught against the English, few of that county came to fight with us: they drew together eighteen hundred or two thousand foot, and an hundred and sixty horse." *Borl. Irish Rebel.* fol. 105.

fore most humbly and earnestly intreat your lordships to take a speedy course, that the country may be quieted and satisfied, that destruction is not intended against the well affected ; that I may be repaired in my honour, and preserved in my authority, now grown into contempt ; or that your lordships will be pleased to discharge me of the burden of this government, for, in this manner, I may not longer hold it, with disservice to his majesty, and danger and dishonour to myself."

C H A P. XX.

Further severities of the lords justices.

ABOUT this time, ' Sir John Read, one of the gentlemen of his majesty's privy-chamber, then in Ireland, being intrusted with letters to his majesty, by the nobility and gentry of the pale, was invited by the lords justices to repair to Dublin, that they might confer with him before his departure ; but at his coming to Dublin, he was committed close prisoner to the castle, notwithstanding they wrote for him, and though he told them, he brought letters to his majesty. Soon after this they put him to the rack." *

Lord

* Cart. Orm. vol. iii. fol. 295. The King's Letter.

* " The principal question put to him while on the rack was, whether the king was privy to, or encouraged the rebellion? The lords justices devoted to that party, (in the English parliament,) to whose disposition the government of Ireland was entirely left, endeavoured in this detestable way, to serve their ends, by calumniating his majesty ; at the same time that they promoted their own scheme of an extirpation by racking these gentlemen, whose treatment could not fail of deterring every body from venturing themselves into their power for the future." Cart. Orm. vol. i. fol. 301.

" Hugh M'Mahon was put to the rack March 22d, 1641, and Sir John Read on the next day." Id. ib. fol. 295.

" The Marquis of Ormond, mentioning in his letter to the justices and council, Col. Read's coming in to him, with two other

Lord Dunsany,² who lived quietly in his own house, doing all acts of humanity to the distressed English, even at the hazard of his life, came with his son to Dublin, and surrendered himself to the government, “where he was immediately imprisoned, and indicted by a jury which did not consist of freeholders.”³ At the same time, Patrick Barnwell of Kilbrew, Esq;⁴ one of the most considerable gentlemen of the pale, a venerable old man, of the age of sixty-six, a lover of quiet and highly respected in his country, “having surrendered himself to the Earl of Ormond, and received a safe-conduct from Sir William Parsons, was nevertheless, upon his arrival in Dublin, imprisoned and put to the rack; and he (Lord Dunsany) and Sir John Neterville suffered great hardships afterwards, from the rigour of the lords justices, in their confinement in the castle of Dublin, for twelve or fourteen months; and being refused to be bailed, were ready to perish for want of relief.”

Besides these, Sir Andrew Aylmer, Girald and George Aylmer, Esqrs. Edward Lawrence, Nicholas and Stephen Dowdal, Esqrs. Sir Nicholas White and his son, John Talbot, Gerald Fitzgerald, and William Malone, Esqrs. all gentlemen of the pale, had either submitted to the lords justices, or to the Earl of Ormond

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² Id. ib. ³ Brief Narrative. See Walsh's Reply to a Person of Quality. ⁴ Cart. Orm. vol. i. ⁵ Id. ib.

other gentlemen, says, “he thought fit to send these gentlemen to be disposed of according to their lordships pleasures, and their own demerits.” Warner's Hist. of the Irish Rebel. p. 177.

^b The Earl of Ormond, in a letter to lord justice Parsons, says, “having received from your lordship, a note intimating a safe-guard to Mr. Barnwell of Kilbrew, I suffered him to come along with me.” Cart. Orm. vol. iii. fol. 68.

“Patrick Barnwell of Kilbrew, Esq; endured the torture with so steady an avowal of his innocence, and such abundant evidence was offered in his favour, that the justices were ashamed of their cruelty; and to make some amends to the unhappy gentleman, he was permitted to reside in Dublin, and his estate protected from the general havock of the soldiery.” Let. Hist. of Irel. vol. iii. p. 165.

Ormond in this expédition to Drogheda. But although it was certainly known, that they never were in any manner connected with the insurgents, but on the contrary, that they had greatly suffered by their depredations, "yet they were all committed prisoners to the castle, without being even admitted to the presence of the lords justices; after which, they were examined, some by menace, others by torture,^c and most of them necessitated to subscribe to what the examiners pleased to insert. In consequence of those examinations, and perhaps other kinds of management,^d they were all indicted of high treason; and in the space of two days there were above three thousand such indictments upon record."

C H A P. XXI.

The gentlemen of the pale petition the king and parliament.

WHILE the gentlemen above-mentioned were confined in the castle of Dublin, they addressed to the Earl, now Marquis of Ormond, the following petition; inclosing two others, one to his majesty, and the other to the English house of commons.^a

" May

^c " Preparations were made for their trials. But as they had never been engaged in any hostile action, proper facts were wanting to support a charge against them. To supply this defect, the lords justices had recourse to the rack, in order to extort such confessions as these miscreants had a mind to put into the mouths of these unhappy men." Warner's Irish Rebel. p. 176.

^d The justices " had exerted themselves so vigorously, that indictments of treason were found against those, and above a thousand more in the space of two days." Lel. Hist. of Irel. ubi supra.

" With a shameful outrage on decency, a memorial was publicly read at the council board, from a friend of Sir William Parsons, representing his merits in expending sums of money for procuring witnesses on these indictments." Id. ib. p. 101.

^a The justices sent only a copy, and that probably imperfect,
of

“ May it please your lordship to call to mind,‘ how your petitioners, upon your lordship’s advancing into the country, with his majesty’s army, did come, and submit to your lordship ; not doubting but that they should thereby partake of his majesty’s grace and mercy.‘ And yet they have received as hard measure since as if they had been taken prisoners, and committed the highest acts of treason. Your lordship cannot forget, that we were then out of danger of the army ; and that, if we had suspected any such hard and extreme usage, as we have since found, we might have means and opportunity to shift for ourselves, and at least to continue our former liberty.‘ But we being conscious

‘ Cart. Orm. vol. iii.

of these gentlemen’s first petition to his majesty ; for Borlase informs us, “ that on the 25th of August, the lords justices in a letter to Secretary Nicholas, sent a copy of the rebels petition, together with the letter of the rebels of the pale to the Earl of Ormond ; in answer to which (adds he) exceptions were taken, that they had not sent the original ; and withal (the secretary) took notice that as his majesty would be ready to punish the rebels, so he would not shut up his mercy against those who did unfeignedly repent ; upon which the original was sent, and his majesty’s pardon begged.” Hist. of the Irish Rebel. fol. 141.

‘ The Earl of Ormond in a letter to these lords justices, March 12th, 1641, sets forth his method of proceeding with such gentlemen as voluntarily surrendered themselves to him ; from whence, certainly, he could have little or no hope that any grace or mercy would be shewn them : “ for those that come in, (says he) the course I hold with them is to put them in safe keeping, either to send them afore me to Dublin, or to bring them along with me without any manner of promise or condition, but that they submit to his majesty’s (i. e. their lordships) justice. Nor do I dispute by what power (i. e. if upon the king’s proclamation of pardon) they come in, leaving that to your lordships to judge when they are in your hands, and I have told you the manner, which I shall very truly.” Cart. Orm. vol. iii. fol. 68.

“ I do not find (says Mr. Carte) that any thing was done in parliament towards the liberty of these (imprisoned) gentlemen, who, upon the king’s orders, that such as submitted upon the proclamation, should be allowed the benefit thereof ; were admitted to bail a little before the cessation.” Id. Ib. vol. i. fol. 102.

conscious of no voluntary treason committed by us, did of our own free will and accord put ourselves into your lordship's hands, not doubting, but that this was an engagement upon your lordship in point of honour, (if not upon his majesty, as we conceive it is) to intercede to his highness, and to the parliament for us; which your lordship has not hitherto done,

" Their humble request unto your lordship, is, that for the clearing of yourself, from having any hand in the proceedings, which since their submission have been against your petitioners; and for the vindicating your honour unto posterity (which in the opinion of many doth in this much suffer) your lordship will be pleased, by your letters, to transmit their petitions subscribed by them unto his majesty; and also to the honourable house of commons in England,^c which is the least right, and it is in the main nothing but truth, which your lordship is bound in honour to testify."

The Marquis of Ormond, in a letter to the speaker of the English house of commons, after having made a kind of apology for sending him these petitions, acquaints him,² " that, indeed, what concerned these gentlemen's

² Cart. Orm. vol. iii.

^c Ormond in his letter to Secretary Nicholas, transmitting a petition of these gentlemen to that house in 1642, tells him, " that the letter and petition sent therewith came to him by an ordinary fellow, an Irishman and a papist; that Sir Patrick Wemys, the bearer (who soon after went over to the English rebels) would inform him whose names those were that were to it, and most of their conditions, and that he held it his part to lose no time in the transmission of them, being well assured, that his majesty's judgment was not to be surprized by any colours these rebels could cast upon their foul disloyalty." Cart. Orm. vol. iii. fol. 102,

This Sir Patrick Wemys, Ormond himself tells us, was " afterwards, in 1644, concerned in a treaty to yield up Drogheda to the English parliament; at least so far as amounted to a concealing, which in him (adds his lordship) considering the favours done him by his majesty, and the good offices by me, in my judgment is less pardonable than the contrivance and action of others less obliged." Id. ib. fol. 370.

gentlemen's coming to him of their own accord, and the course that had been afterwards held with them, was very truly set forth; and that he had not heard of any hostile act that had been done by any of them." But then he immediately subjoins, what certainly was never intended for their service, viz. "and to enter into their hearts, and search what is there, is only peculiar to God. I am not able," adds he, "to judge whether any treason was hatched there or no." And with this invidious insinuation, "he submitted it to the wisdom of that great council (the English commons) to advise when and where, and to whom, to distribute mercy for the most advantage of the present service." The principal drift of which service, he perfectly well knew, was by all manner of means, to attain the persons, and confiscate the estates, of all the catholic nobility and gentry of the kingdom.^d

C H A P.

^d "The lords justices, who not only favoured the designs of their friends in England, but expected to have their own services rewarded by a large portion of forfeitures, were resolved to discourage pacific dispositions. The gentlemen who were sent in custody to Dublin, (on surrendering themselves to Ormond) though men of respectable characters and families, engaged in no action with the rebels, some, sufferers by their rapine, averse to their proceedings, known protectors of the English, were all, indiscriminately, denied access to the justices, closely imprisoned, and threatened with the utmost severity." *Lel. Hist. of Irel.* vol. iii. p. 163.

Mr. Carte informs us, "that he found in the Earl of Ormond's notes written with his own hand, that in April, 1643, there was a letter read at the council board, from an intimate friend of Sir William Parsons, who claimed a great merit to himself, in getting some hundreds of gentlemen indicted; and the rather that he had laid out sums of money to procure witnesses to give evidence to a jury for finding these indictments." *Orm.* vol. i. fol.

C H A P. XXII.

Barbarous orders of the lords justices and council to the Earl of Ormond.

WERE there any room to call in question the accounts hitherto given of these lords justices cruel and rapacious administration, their own public orders, which were constantly and rigorously executed, would authenticate and confirm them, beyond all possibility of doubt. Out of these orders, I shall select two or three passages, (for more would be shocking to the reader's humanity,) with reference to the ends all along pursued by them, which evidently were, first to compel such of the Irish as were still quiet, to rise in their own defence, and afterwards to seize on their persons and estates for having yielded to such compulsion.

On the 23d of February, 1641, the Earl of Ormond, when on his march towards the Boyne, received the following resolution of the lords justices, and council. "It is resolved, that it is fit, that his lordship do endeavour, with his majesty's forces, to wound, kill, slay, and destroy, by all the ways and means he may, all the said rebels^a and their adherents, and relievers; and burn, spoil, waste, consume, destroy and demolish, all the places, towns and houses, where the said rebels are, or have been, relieved or harboured, and all the corn or hay there; and to kill and destroy all men there inhabiting, able to bear arms."^b

On

^a Cart. Orm. vol. iii.

^a Irish and rebels were then synonymous terms.

^b "Can any one think after this, (says Dr. Warner) that these lords justices had any reason to complain of the cruelties committed by the ignorant and savage Irish." Hist. of the Irish Rebel.

On the 9th of the following month, these lords justices and council, dispatched another order to the Earl of Ormond, then marching into the pale, with an army of three thousand foot, and five hundred horse, to burn, spoil, and destroy the rebels of the pale, without excepting any. By this order, "those who offered to come in, were in no other manner to be taken in, than as prisoners, taken by the strength of his majesty's army; and if any of them should come to the army, the soldiers were to seize on them, before they had access to his lordship; and afterwards, they were to be denied access to his person."^c

In this manner, such of those unhappy noblemen and gentlemen as had been driven from Dublin by their lordships proclamation, on pain of death, had never offended the government, or were desirous to return to their duty, if in any respect they had offended, were delivered up, without distinction, to the mercy of soldiers, who thirsted after nothing more ardently than the blood of the Irish; and whom their lordships had before incensed, by all manner of ways, against the nation in general.

Doctor Nalson assures us,^a "that the severities of the provost marshals, and the barbarism of the soldiers to the Irish, were then such, that he heard a relation of his own, who was a captain in that service, relate, that no manner of compassion or discrimination was shewn either to age or sex;^d but that the little children were promiscuously sufferers with the guilty; and that if any, who

^a Histor. Collect.

^c "In the execution of these orders, the justices declare, that the soldiers slew all persons promiscuously, not sparing the women, and sometimes not the children." *Lel. Hist. of Irel.* vol. iii. p. 172.

^d "Among the several acts of public service performed by a regiment of Sir William Cole, consisting of five hundred foot, and a troop of horse, we find the following hideous article recorded by the historian Borlase, with particular satisfaction and triumph: "Starved and famished of the vulgar sort, whose goods were seized on by the regiment, seven thousand." *Lel. ib.*

who had some grains of compassion, reprehended the soldiers for this unchristian inhumanity, they would scornfully reply, Why, nits will be lice, and so would dispatch them." "Of Sir Charles Coote,³ provost marshal of Ireland, it is said, that he would bid his Irish prisoners blow in his pistol, and then would discharge it."

"May 28th, 1642,⁴ the justices issued a general order to the commanders of all garrisons, not to presume to hold any correspondence or intercourse with any of the Irish or papists dwelling or residing in any place near or about their garrisons; or to give protection, immunity, or dispensation from spoil, burning, or other prosecution of war, to any of them; but to prosecute all such rebels, from place to place, with fire and sword, according to former commands and proclamations. Such," says Mr. Carte on this occasion, "was the constant tenour of their orders, though they knew that the soldiers, in executing them, murdered all persons promiscuously, not sparing, as they themselves tell the commissioners for Irish affairs, in their letter of the 7th of June following, the women, and sometimes not children."

C H A P. XXIII.

Orders of the English parliament, relative to Ireland.

PREPARATORY to these destructive orders of the justices and council of Ireland, their partizans in the English parliament had procured a resolution to be passed,⁵ on the 8th of December 1641, never to tolerate the catholic religion in that kingdom;⁶ and in February

³ Leyburne's Mem. Pref. p. xxviii.

⁴ Cart. Orm. vol. i.

⁵ Hughes's Abridgment. Borl. Hist. of the Irish Rebel.

⁶ "It was resolved, upon solemn debate, on the 8th of December 1641, by the lords and commons in the parliament of
of

February or March following, the same parliament voted the confiscation of two millions and a half of acres of arable, meadow and pasture land, when very few persons of landed property were concerned in the insurrection. On occasion of this resolution concerning religion, Lord Clanrickard expostulated, with just and spirited resentment, in a letter to the Earl of Essex; who, it was then thought, would have come over lord lieutenant, with orders to execute it. "It is reported," says he,² "that the parliament hath resolved to make this a war of religion, that no toleration thereof is to be granted here; nor any pardons, but by consent of parliament; to send one thousand Scots into this kingdom, and yourself to come over lord lieutenant. If such be the resolutions of England, I should esteem it the greatest misfortune possible, to see you here upon such terms; but if you come over as becomes the person, honour, and gallant disposition of the Earl of Essex, and not as the agent of persecution, it may produce much happiness to your own particular, and to this kingdom in general. And, if I may presume to speak my sense, it will not agree either with the honour or safety of England, to make use of such a power of Scots to destroy or over-run us here. My lord, recollect yourself, and draw together your best and bravest thoughts; consider that, by this violent proceeding, contrary to the religion of the whole kingdom, you will put us into desperation, and so hazard the destruction of many noble families."

In consequence of the English vote, for the confiscation of two millions and a half of Irish acres, "the lords justices,"³ in a private letter to the speaker of the house of commons in England, May 11th 1642, without the rest of the council, besought the commons,

to

² Cart.Orm. vol. iii.

³ Id. ib. vol. i.

of England, that they would never give consent to any toleration to the popish religion in Ireland, or any other his majesty's dominions. Which vote (adds my author) hath been since adjudged a main motive (by the insurgents) for making the war a cause of religion." Borl. Irish Rebel. f. 52.

to assist them with a grant of some competent proportion of the rebels lands. Here," says Warner,⁴ "the reader will find a key, that unlocks the secret of their iniquitous proceedings; and here we find the motives to the orders they gave for receiving no submissions; for issuing no proclamation of pardon at first, as the parliament had suggested; and, in short, for all their backwardness in putting an end to the rebellion, of which several opportunities offered; and consequently for their sacrificing the peace and happiness of the country, and the lives of thousands of their fellow-subjects." "But some kind of zeal," says the king himself on this occasion,⁵ "counts all merciful moderation luke-warmness, and is not seldom more greedy to kill the bear for his skin, than for any harm he hath done; the confiscation of men's estates being more beneficial, than the charity of saving their lives or reforming their errors."

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⁴ Hist. Irish Rebel.⁵ Reliq. Sac. Carolin. p. 85.

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B O O K VI.

C H A P. I.

The nobility and gentry of Ireland unite in a regular body.

THE lords and gentlemen of the pale, who had seen their houses burnt, their lands destroyed, and their tenants murdered, without making any opposition, still renewed their applications to government,¹ to accept of their best assistance and endeavours towards putting a stop to the insurrection, now daily increasing in every part of the kingdom. But these overtures were scornfully rejected, and even the proposers of them held worthy of punishment. The Earl of Castlehaven, who had presented one of their petitions, was imprisoned;² and had he not escaped by a stratagem, might have been racked for his officiousness, as Sir John Read was on a similar account. At the same time,

¹ Carte, Castlehaven.

² See his Memoirs.

time, Hugh Oge O'Connor, Sir Luke Dillon, and others of the principal gentry of the county of Roscommon, intreated the Lords Clanrickard and Ranelagh, to prevail with the justices, to receive the like humble offer of their services, or, at least, to consent to a suspension of hostilities for some short time. Lord Clanrickard transmitted their request to the government, with his humble wishes for its success; but Sir William Parsons was so much offended at the motion, that Clanrickard was obliged to apologize for having made it, by telling him,³ "that his grounds for seconding that application were, that fire and sword having made a sharp discovery of his majesty's high indignation, some part of his mercy might appear, by a distinction of punishment; which then, and since, had fallen equally, not only on capital offenders, but even upon deserving servitors. These," adds his lordship, "were the apprehensions which drew me into that error, which I must now conceive to be such, as it stands in opposition, to so able a judgment. But certainly, some other way of moderation may be agreeable to his majesty's goodness, and the destruction and murders committed by the soldiers, thereby prevented; which are now acted upon those, who are protected by your lordship, which, at present, puts all men into high desperation."

Thus were the catholic nobility and gentry of Ireland, at last, compelled to unite in a regular body; and to put themselves into that condition of natural self-defence, which has been ever since branded by their enemies, with the appellation of a most odious and unnatural rebellion.⁴

At

³ Carte's Ormond, vol. iii.

⁴ "To strengthen their party," says Mr. Carte, "as much as was possible, they sent manifests and declarations of the motives and reasons of their conduct, to all the English catholics throughout the kingdom. Nor did they find any great difficulty in engaging them; they being ready enough to consider it as a common cause, and to imagine that the same snares, which they were

At Kilkenny they formed two different meetings on this occasion,* viz. their general assembly and supreme council: of the first were all the lords, prelates and gentry of their party; the latter consisted of a few select members, chosen by the general assembly, out of the different provinces, with the most rigorous exactness: those so chosen, having taken the oath of counsellors, were, after the recess of the assembly, accepted and obeyed as the supreme magistrates of the confederate catholics.

"The supreme council consisted of about four and twenty members, some of every state, nobility, clergy and commons, who, during the intervals of the assemblies, had a kind of limited government, and power to call an assembly on occasion."† "They framed to themselves a seal, bearing the mark of a long cross; on the right side a crown, on the left a harp with a dove above, and a flaming harp below the cross, and round about this inscription, *pro Deo, pro rege, et patria Hibernia, unanimes*, with which they sealed their credentials."‡

The first result of this union, was an humble and dutiful address to his majesty, setting forth, "that,§ having apprehended, with fulness of sorrow, the condition to which the misrepresentation of his majesty's ministers in Ireland, united with the malignant party in England, had reduced them; and sad experience having taught them, that a resolution was taken to supplant their nation and religion; they humbly conceived it necessary, after long patience, to put themselves

* Belling's MSS. Hist. of the Wars of Ireland.

† Leyburne's Mem. Pref. p. xi.

‡ Borl. Irish Rebel. fol. 128.

§ Cart.Orm. vol. iii.

were persuaded had been laid for the lives and estates of the lords of the pale, would be made use of to destroy them, by piecemeal, one after another: and that the only way to prevent the destruction of each particular, was to unite all together as one man, to make a general association for their defence, and to depend upon the fate of war to make the best terms they could for themselves." Orm. vol. iii. fol. 262.

selves in a posture of natural defence ; with intention, nevertheless, never to disturb his majesty's government, to invade any of his high prerogatives, or oppress any of his British subjects, of what religion soever, that did not labour to oppress them. Which intention in the beginning of the troubles, they had solemnly sworn to observe ; an oath,^b often since reiterated, lest the misguided and unauthorized motions of some among them should be construed to derogate from that faith and allegiance, which, in all humbleness, they confessed they owed and sincerely professed unto his majesty. That before any act of hostility committed on their parts, they had, with all submission, addressed themselves, by petition, to the lords justices and council, for a timely remedy against the then growing evils ; but that therein they had found, instead of a salve for their wounds, oil poured into the fire of their discontents, which occasioned such intemperance in the common

^b Their oath of confederacy, on this occasion, is thus recited by Borlase : " I, A. B. do, in the presence of Almighty God, and all the saints and angels in heaven, promise, vow, swear, and protest to maintain and defend, as far as I may, with my life, power and estate, the public and free exercise of the true Roman catholic religion, against all persons that shall oppose the same. I further swear, that I will bear faith and allegiance to our sovereign Lord King Charles, his heirs and successors ; and that I will defend him and them, as far as I may, with my life, power and estate, against all such persons as shall attempt any thing against their royal persons, honours, estates and dignities ; and against all such as shall directly or indirectly endeavour to suppress their royal prerogatives, or do any act or acts contrary to regal government ; as also the power and privileges of parliament, the lawful rights and privileges of the subjects ; and every person that makes this vow, oath and protestation, in whatsoever he shall do in the lawful pursuance of the same. And to my power, as far as I may, I will oppose, and by all ways and means endeavour to bring to condign punishment, even to the loss of life, liberty and estate, all such as shall either by force, practice, counsels, plots, conspiracies or otherwise, do or attempt any thing to the contrary of any article, clause, or any thing in this present vow, oath, or protestation contained. So help me God." History of the Irish Rebel. fol. 74.

mon people, that they acted some unwarrantable cruelties upon puritans, or others suspected of puritanism, which cruelties they really detested,^c had punished in part, and desired to punish with fulness of severity, in all the actors of them, when time should enable them to it; though (added they) the measure offered to the catholic natives here, in the inhuman murdering of old decrepit people in their beds, women in the straw, and children of eight days old; burning of houses, and robbing of all kind of persons, without distinction of friend from foe, and digging up of graves,^d and there burning the dead bodies of our ancestors, have not deserved that justice from us."

In the conclusion of this address, we find the following zealous obtestation. "We therefore, with hearts bent lower than our knees, do humbly beseech your sacred majesty, timely to assign a place where, with safety, we may express our grievances, and you may, with freedom, apply a seasonable cure unto them; and there you shall find our dutiful affections, attended with just cause of security in our faithfulness, and manifest arguments of our earnest desire to advance your service."

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^c They kept their word religiously in this respect. For in the two peaces concluded afterwards with the Marquis of Ormond, viz. those of 1646 and 1648, they expressly excepted from pardon, all those of their party that had committed such cruelties. And long before either of these peaces, Lord Clanrickard testified, "that it was the desire of the whole nation, that the actors of these cruelties should, in the highest degree, be made examples to all posterity." Carte's Orm. vol. iii. And the Marquis of Ormond himself, confessed, "that those assuming power among the Irish had long disclaimed them, and professed an earnest desire that they might be brought to punishment." Id. ib.

^d That they did not exaggerate in this particular, is plain from a letter of Lord Clanrickard's, who says, "that while he was at Tyrellan, in treaty with Lord Forbes, (the commander of a parliament ship of war), though Lord Ranelagh, president of Connaught, was then in the fort of Galway, he saw the country on fire, his tenants houses and goods burnt, and four or five poor

C H A P. II.

The king consents to hear the grievances of the insurgents.

THE king,¹ considering the occasion and circumstances, which had caused such a body of nobility and gentry, most of them of English race, to have recourse to arms; the apparent moderation of their demands, their earnest desire of laying their grievances before him, and submitting them to his determination, resolved to issue out a commission, under the great seal of England, to empower certain persons to meet with the principal of those, who had sent the petition; to receive, in writing, what the petitioners had to say or propound; and to transmit the same to his majesty.

"This commission was dated January 11th, 1642, and directed to the Marquis of Ormond, the Earls of Clanrickard and Roscommon, the Lord Viscount Moore, Sir Thomas Lucas, Sir Maurice Eustace, and Thomas Bourke, Esq; any three, or more, of them being authorised to meet, and act for the purpose aforesaid. It was sent over to Ireland by the last of these commissioners, who delivered it to the Marquis of Ormond on the 30th. He at the same time, brought the lords justices a letter from the king, notifying the purport of it."

"But these lords justices, taking," says the Marquis of Ormond,² "this commission for a step towards the peace

¹ Cart.Orm. vol. i.

² Orm. Let. in Cart. Orm. vol. iii.

poor innocent creatures, men, women and children, inhumanly murdered by Forbes's soldiers; who having taken possession of Lady's-church in Galway, the antient burying place of the town, did, upon their departure, not only deface it, but digged up the graves, and burnt the coffins and bones of those that were buried there." Cart. Orm. vol. iii. fol. 109. Lel. Hist. of Irel. vol. iii. p. 174.

peace of the kingdom, and their own ruin;" and, "being displeased" that even a wish or consent should be discovered in any man, that the war, from which so many promised themselves revenge, and fortunes, should be any other way ended than with the blood and confiscation of all those, whom they could propose to be guilty of the defection," fought many artful expedients to hinder or delay the execution of it; and at length hit upon one, that, for a while, produced the wished-for effect.⁴ There came a trumpet to the supreme council of the confederate catholics, then sitting at Ross, with a safe-conduct from their lordships for such of their number as that council would employ to represent their grievances to the king's commissioners above-mentioned. In the commission there happened to be the words "odious rebellion," applied to the proceedings of these catholics; which the lords justices not only inserted in their safe-conduct, but also added other words of their own of the same provoking tendency; hoping thereby to prevent the intended pacification. But the confederates looking upon the whole to be the lords justices contrivance, and neither knowing, nor expecting, that any such language was in his majesty's commission, sent the trumpet back, with a spirited answer, giving their lordships to understand, "that they were not, they thanked God, in that condition, as to sacrifice their loyalty to the malice of any; and that it would be a meanness beyond expression in them, who fought in the condition of loyal subjects, to come in the repute of rebels, to set down their grievances. We take God to witness," added they, "that there are no limits set to the scorn and infamy that are cast upon us; and we will be in the esteem of loyal subjects, or die to a man."

The confederate catholics did undoubtedly believe, that, in taking arms against this administration,*

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which

³ Clarend. Hist. of the Irish Rebel. ⁴ Belling's MSS. Hist.

* The Earl of Castlehaven among other reasons for having joined

which was entirely influenced by the prevailing faction in the English parliament, they were actually serving his majesty. This appears evidently from Lord Clanrickard's letter to the king, October 26th, 1642, wherein he acquaints him,⁵ "that neither intreaties, threats, or protestations, could draw most men from the belief, that those did really serve his majesty, who were in that commotion. And if vows and protestations (proceeds his lordship) may gain belief, I should be followed by thousands to serve your majesty, in any other place. But, as the state of this kingdom stands, such is their sense of the opposition given to your majesty by some faction of your parliament of England; of the injustice done them by those that govern here; and of the general destruction, conceived to be designed against the natives, that almost the whole nation are united into one resolute body, to gain their preservation, or sell their lives at the dearest rate."

C H A P.

⁵ Cart. Orm. vol. iii. Clanrick. Mem. Eng. ed. fol. 180.

joined the confederates against this administration, assigns the following. "I began to consider (says he) the condition of this kingdom, as that the state did chiefly consist of men of mean birth and quality; that most of them steered by the influence and power of those who were in arms against the king; that they had, by cruel massacring, hanging and torturing, been the slaughter of thousands of innocent men, women and children, better subjects than themselves; that they, by all their actions, shewed that they looked at nothing but the extirpation of the nation, the destruction of monarchy, and by the utter suppression of the antient catholic religion, to settle and establish puritanism. To these, (adds his lordship) I could be no traitor." Desid. Curios. Hibern. vol. ii. p. 132. See Append.

C H A P. III.

Another contrivance of the justices to hinder the cessation.

BUT the confederate nobility and gentry being soon after made sensible, that the words “odious rebellion” above-mentioned, were actually taken from the king’s commission, and inserted, by the lords justices, in the safe-conduct for the aforesaid evil purpose, were resolved to disappoint so iniquitous a design; and therefore immediately wrote to the commissioners appointed by the king, “that ‘they were ready to appear before them, with a representation of their grievances.” Accordingly, the time and place of meeting, proposed by the confederate catholics, which was the 18th of March, at Trim, were agreed to by these commissioners. But the confederates still resenting the imputation of rebellion, though taken from the king’s commission, thought it necessary to “protest at the same time,² in the presence of the God of truth, that they had been necessitated to take arms, to prevent the extirpation of their nation and religion, threatened and contrived by their enemies; to maintain the rights and prerogatives of his majesty’s crown and dignity, and the interests of his royal issue, and for no other reason whatever.” And, indeed, of the sincerity of this protestation, we shall presently find them giving unquestionable proofs.

The justices now perceiving that abusive appellations could not provoke the confederates to absent themselves from the intended meeting, resolved to try what cruel and perfidious actions would do.³ For on the 13th of March, (five days before the appointed time) they gained the consent of the council to an act, which,” says Mr. Carte, “could only serve to exasperate the confederates, and produce a retaliation, that might inflame matters to such a degree, as to put a stop to all

¹ Belling’s MSS. Hist. of the Wars of Ireland. ² Cart. Orm. vol. iii. Belling. ib. ³ Cart. Orm. vol. i. fol. 407.

all further treaty. Sir Richard Grenville had taken, at Longwood, Mr. Edward Lifagh Connor; and in the battle of Rathconnel, on February the 7th, he had also taken one Dowdal, another gentleman named Betagh, and one Aylmer, son of Garret Aylmer, a lawyer eminent in his profession, all gentlemen of considerable families. Sir Richard, though very severe in the prosecution of the war, was a man of great spirit and honour, and not likely to violate the quarter he had given. The lords justices, therefore, wrote to him, that they had occasion to examine said prisoners, and ordered him to send them for that purpose to Dublin, under a safe guard. They signed, at the same time, another order to Sir Henry Tichbourne,^a to examine only, if these prisoners were so taken, and to cause them immediately to be executed by the martial law."

But even this detestable expedient to prevent the appointed meeting, proved as unsuccessful as the former. For, "on the before-mentioned 18th of March 1642, by virtue of his majesty's commission,⁴ the Earl of St. Albans and Clanrickard, the Earl of Roscommon, Sir Maurice Eustace, and others, the king's commissioners, met the commissioners of the confederate catholics at Trim." These latter were Lord Gormanstown, Sir Lucas Dillon, Knight, Sir Robert Talbot, Bart. John Walsh, Esq; and others; at which time they produced a remonstrance, by the title of a remonstrance of the grievances presented to his majesty,^b in

⁴ Cart. ubi supra.

^a Sir Henry Tichbourne, soon after made lord justice, on Parsons's removal, informs us, "that the cessation intended was so disagreeable to the Irish privy-council, that most of them desired to run any fortune, and extremity of famishing, rather than yield unto it." Hist. of the Siege of Drogheda.

^b This remonstrance has been already quoted in this Review, and will hereafter be quoted as authentic evidence, as well on account of the solemnity of its delivery and acceptance, as because of the severe examinations it underwent in the Irish house of commons, (from which all the Roman catholic members had been expelled) from the 8th to the 12th of April, 1644, and then dismissed without the least disproof or even contradiction of any

in the name of the catholics of Ireland.' Which remonstrance was accordingly received in due form, by his majesty's commissioners, and by them transmitted to his majesty.^c

The Marquis of Ormond, though first named in the commission, seems to be the only commissioner that did ^{not} assist at this meeting. His lordship instead of going to Trim on that pacific business,^d marched towards Ross,^e with an army of about two thousand five hundred foot, and five hundred horse.^c In his way thither, he took the

^c See Append.

^e Belling's MSS.

any of the numerous grievances it complains of ; and without any resolution or motion, after a debate of so many days, that bears the slightest appearance either of a censure, or denial of the facts it contains. See Append. to the Journals of the Commons. (See this Remonstrance Appendix No. V.)

There is the following remarkable passage in Borlase on this occasion. " Upon the 8th and 9th of April, 1643, this remonstrance came to be considered in the commons house of parliament in Ireland, seemingly disliked by all, though with that artifice by some, as the remonstrants themselves could not have insinuated more in its defence ; inasmuch as these, at last, brought into discourse the solemn league and covenant, the more colourably to take off the dispute concerning the remonstrance, whereby the business growing hot, the house was prorogued till the 6th of May." Irish Rebel. fol. 155.

^c " This remonstrance (says Borlase) was solemnly received by his majesty's commissioners, and by them transmitted to his majesty." Hist. of the Irish Rebel. fol. 154.

^d This expedition was undertaken by Ormond, at the desire of a committee of the English parliament, then sent to direct and superintend the affairs of Ireland, expressly against the king's command. See Borl. Irish Rebel. fol. 142-3. " It being desired by the officers of the army, on a certain occasion, that Major Wodowes might repair to his majesty. to express their service, this committee demonstrated, that the parliament would certainly withdraw their supplies, on notice of such an address, upon which the ships were stayed ; yet the business was so argued, as the major had licence to proceed in his journey." Id. ib. fol. 144. " But with this the English parliament was so much displeased, that they for some time withheld those scanty supplies which they before used to send them." Id. ib. fol. 145.

^e " This expedition was set on foot by a committee of the English

the castle of Timolin ; and although he had promised quarter to the garrison, on account of their gallant defence, yet he suffered them to be cut in pieces by the soldiers,⁷ after they had surrendered their arms.⁸ And, in his return from Ross to Dublin, on the 18th of March, (the day on which the other commissioners were receiving the remonstrance at Trim) having met and attacked an army of the confederates, under General Preston, he entirely routed it ;⁹ killing above five hundred of their men, among whom were many officers and gentlemen.⁶ The justices,⁹ in a letter to the speaker of the English house of commons, take particular notice of this action, as a satisfactory proof, “ that the king’s commission for hearing the complaints of

⁷ Belling’s MSS.

⁸ Id. ib.

⁹ Carte’s Orm. vol. iii.

English parliament ; Mr. Robert Goodwin and Mr. Robert Reynolds, members of that parliament, sent against the king’s express command, over in the depth of winter to Ireland, to seduce privately the officers and soldiers of his majesty’s army there to engage with the English parliament against him ; for which purpose this committee had prevailed on many of them unwarily to subscribe their names in a book ; but some officers having at length discovered the real design, in detestation thereof rent the book of subscriptions in pieces.” Borl. Hist. of the Irish Rebel. fol. 143-4. At the same time with them, was sent Captain Tucker, by the city of London.

“ The army (says Borlase) came to Timolin, where finding two castles possessed by the rebels, our cannon compelled them to submit to mercy, very few of them escaping with their lives, there being about an hundred of them slain.” Irish Rebel. fol. 148.

⁶ The lords justices in their account of this battle say, “ wherein were slain about three hundred of the rebels, and many of their commanders, and others of quality, and divers taken prisoners ; and among these prisoners Colonel Cullen, a native of this city (Dublin), who had been a colonel in France, and was now a lieutenant general in the rebels army ; and on our side, about twenty slain in the fight, and divers wounded.” Borl. Irish Rebel. fol. 146.

“ And in his return to Dublin, (says Mr. Carte) he burnt and spoiled the enemy’s country without the least opposition.” Orm. vol. i. fol. 407.

of the confederate catholics, gave not the least interruption to the proceedings of the war against them.”^b

C H A P. IV.

Sir William Parsons displaced from the government.

IN consequence of the remonstrance delivered at Trim, his majesty informed the lords justices, “ that he had given command and authority to the Marquis of Ormond, to treat with his subjects of that kingdom, who had taken arms against him ; and to agree with them on a cessation of arms for one year ; which, as it was a service of very great concernment to his majesty, and his present affairs in both kingdoms, so he willed and commanded, that they would therein give the most effectual assistance and furtherance to advance the same, by their industry and endeavours, as there should be occasion.”^a

Not

^a Carte’s Ormond, vol. iii.

^b They observe, however, in the same letter, that their poverty, and want of all things, was such, “ that although the rebels were not able to overcome his majesty’s army, and devour his other good subjects, yet both his army and good subjects were in danger to be devoured by the want of needful supplies forth of England. And that the miseries of the officers and soldiers for want of all things, even of food, were unspeakable ; that, by the insupportable burthen then laid on the city of Dublin, for their maintenance, many housekeepers were daily breaking up house, and scattering their families, leaving still fewer to bear the burthen. In the end therefore, (add they) we were enforced to fix on our former way, and to see who had any thing left him untaken from him to help us ; and although there were but few such, and some of them poor merchants, whom we have now by the law of necessity utterly undone, and disabled from being hereafter helpful to us, yet we were forced to wrest their commodities from them.” Borl. Hist. of the Irish Rebel. fol. 146-7.

^a “ Lord justice Parsons doubted whether he should stop the execution

Not long after the arrival of this order,² "Sir Francis Butler landed from England, with a *superfedeas* for Sir William Parsons's government, on account of his being a principal opposer of the intended cessation, and with a commission to Sir John Borlace, and Sir Henry Tichbourne, to be lord justices; who, accordingly, on the 1st of May, 1643, were instituted in the government. And on the 12th of the same month, Major Warren and Sir Francis Butler, came to the council, the lords sitting, and presented a petition to the lords justices, accusing Sir William Parsons of high misdemeanors, and other treasonable matters, and requesting that his person and goods might be secured."

After many needless delays, and a second command from the king, the lords justices appointed the Marquis of Ormond to meet the commissioners of the confederate catholics at Castle-Martin, on the 23d of June, and to enter upon a treaty with them for a cessation of arms. The marquis, as we have seen, had shewn but little inclination to be concerned at all in such a treaty; and he discovered much less to be instrumental in concluding it.³ For on the day before he set out for Castle-Martin, having caused the principal citizens of Dublin to be summoned before the council-board, he delivered a motion in writing, that, "if ten thousand pounds might be raised, the one half in money, the other in victuals, and to be brought in within a fortnight, he would in that case proceed in the war, endeavour to take Wexford, and break off the treaty for the cessation."

But the principal citizens of Dublin, not being able to advance that sum, (such was their extreme poverty at that juncture^b) Sir Henry Tichbourne, who upon the

² Cart.Orm. vol. i.

³ Id. ib.

execution of the king's commission, to hear the grievances of the insurgents." Lel. Hist. of Irel. vol. iii. p. 193.

We learn from Mr. Carte, that "this commission was concealed from August to February following." Orm. vol. iii. p. 132.

^b Temple informs us, "that when, in the beginning of the insurrection,

the supposition of his favouring the cessation, was appointed lord justice in Parsons's room,⁴ "moved the board (there being then one and twenty counsellors present,) that every one for himself, out of his peculiar means and credit, should procure three hundred pounds; which, among them all, would raise six thousand three hundred pounds; for even with that," says Sir Henry himself, "he (the marquis) offered to undertake the work, and that there should be no further mention of a cessation among them. But this motion of mine," proceeds he, "finding no place," the cessation began to be treated on, and was in sincerity of heart, as much hindered, and delayed by me, as was in my power." Such

⁴ Hist. of the Siege of Drogheda.

urrection, the justices sent for the mayor and aldermen of Dublin, and laid before them the high necessities of the state, desiring to borrow a considerable sum of money for the present, which they undertook to repay out of the next treasure that should arrive from England; they returned this answer, after a most serious consultation and very solemn debate among themselves, that they were not able to furnish above forty pounds, and part of that was to be brought in in cattle." Hist. of the Irish Rebel. p. 47.

^c There is an odd passage in Borlase, which shews the extremely necessitous condition of the protestants of Ireland about this period, more than any thing else I have any where met with. Upon the English parliament's neglecting to send them any part of that money which had been subscribed and paid in, in England, solely for their relief (and which, as we have seen, they perfidiously employed against the king himself) "yet, (says my author) that something might seem to be done, there was an order of the commons house of parliament, the 3d of August, 1642, that the ministers about the city of London should be desired to exhort the people to bestow old garments and apparel upon the distressed protestants of Ireland; in reference to which, the 19th of September following, the lord mayor of London ordered, that those cloaths should be brought to Yorkshire-hall in Blackwell-hall, to be ready for shipping them for Ireland; and a vast supply was brought in (charity never so much manifesting its compassion as in that case); which afterwards was entrusted to a reverend person, who discharged his trust with singular prudence and integrity, though, as to the army, these cloaths never reached, or were intended." Hist. of the Irish Rebel. fol. 120,

Such was the zeal and fidelity of one of his majesty's chosen and principal ministers, then in the government of Ireland !^d

C H A P. V.

His majesty's commissioners meet those of the confederate catholics to treat of the cessation.

ON the 23d of June, 1643, the ¹ commissioners of the confederate catholics presented themselves before the Marquis of Ormond in his tent, near Calste-Martin, in the presence of divers colonels, captains, and others of his majesty's army, his lordship sitting in his chair covered, and the Irish commissioners standing bare-headed. After several passages between them, all tendered in writing, the latter gave his lordship a copy of the authority they had received from the supreme council of the confederate catholics at Kilkenny, in these words :

" Whereas ² his majesty's most faithful subjects, the confederate catholics of Ireland, were enforced to take arms, for the preservation of their religion, for the defence of his majesty's just prerogatives and rights, and for the maintenance of the rights and liberties of their country, laboured to be destroyed by the malignant party ; and, whereas his majesty in his high wisdom, and

¹ Borl. Hist. of the Irish Rebellion.

² Ib. ib.

^d Yet we find this man described by a late historian, as " a man of unexceptionable character, and zealously devoted to the king's service." Lel. Hist. of Irel. vol. iii. p. 102.

And the Irish commons in 1666, after having just before settled most of the estates of the Irish on the partizans of Cromwell, voted an address to the Duke of Ormond, that, " in consideration of his (Tichbourne's, one of Cromwell's partizans also) many and great services during the rebellion of 1641, some extraordinary mark of favour should be placed upon him, so as to deliver over to posterity the gracious sense which his majesty had of his sufferings and services, and the grateful memory which that house retained thereof." Com. Jour. vol. ii. fol. 491.

and in his princely care of his said subjects welfare and safety, and at their humble suit, that his majesty might be graciously pleased to hear their grievances, and vouchsafe redress therein, did direct there should be a cessation of arms, and thereupon did direct the Right Hon. the Marquis of Ormond, to treat of, and conclude the said cessation with the said confederate catholics; know ye, that the supreme council, by the express order and authority of the said catholics, by them conceived and granted in their general assembly at Kilkenny, on the 20th day of the last month of May; and in pursuance of the said order and authority, reposing special trust and confidence in the wisdom, circumspection, and provident care, honour and sincerity of our very good Lords, Nicholas Lord Viscount Gormanstown, Donogh Lord Viscount Muskerry, and our well-beloved Sir Lucas Dillon, Knight, Sir Robert Talbot, Bart. Tirlagh O'Niel, Esq; Geoffry Brown, Esq; Ever Macgennis, Esq; and John Walsh, Esq; have constituted, appointed, and ordained the said Nicholas Lord Viscount Gormanstown, Donogh Lord Viscount Muskerry, &c. our commissioners, and do, by these presents, give and grant to our said commissioners, or any five or more of them, full power and authority to treat with the said Lord Marquis of Ormond, of a cessation of arms, for one whole year, or shorter, and to conclude the same for the time aforesaid, upon such terms, conditions, or articles, as to the commissioners aforesaid, in their judgments, consciences, and discretions, shall be thought fit and expedient; by these presents ratifying and confirming whatever act or acts our said commissioners shall do or execute concerning the said cessation. Given at Kilkenny, the 23d of June, 1643.

Mountgarret,
Castlehaven, Audley,
Malach. Archiep. Tuam.
Fleming, Archiep. Dub.
Maurit de Rupe et
Fermoy,

Netterville,
Nich. Plunkett,
Edmund Fitzmorrice,
Patrick Darcy,
Robert Lynch,
Richard Belling."

CHAP.

C H A P. VI.

The cessation at last concluded.

BUT a difference arising upon two points, viz.¹ the dissolution of the present Irish parliament, and liberty to use hostilities against all such persons as should appear in arms against either party, (which the commissioners of the confederate catholics were ordered to insist upon, and the Marquis of Ormond peremptorily refused), caused the treaty to be adjourned to the following month.²

One reason, among many others, for insisting on the dissolution of that parliament, was, "its having expelled,² by an arbitrary order, all those members who had been indicted in the illegal manner, and by the iniquitous means already mentioned; and its afterwards having passed another order, that no persons should

¹ Cart. Orm. vol. i. f. 438.

² Warn. Irish Reb. p. 211.

³ The king, in his letter of the 2d of July 1643, to the lords justices and Marquis of Ormond, authorizing them to conclude this cessation with the confederates, commands them "to assure the Irish, in his name, that he was graciously inclined to dissolve the present parliament, and call a new one, between that and the 10th of November following." Borl. Hist. of the Irish Rebell. fol. 164.

The Marquis of Ormond utterly rejected the proposal of the confederates commissioners for a new parliament. Cart. Orm. vol. i. fol. 438.

Borlase adds another cause of the adjournment of the treaty, viz. "that the Marquis of Ormond would not admit the title or name, attributed by the Irish commissioners unto them, in behalf of those for whom they treated; as likewise not admitting the cause for which they took up arms, as in the protestation is expressed. Whereas the Irish commissioners on the other side, still proposed all in behalf of the catholics of Ireland, with protestation that the said catholics took arms in defence of their religion, his majesty's rights and prerogatives, and the liberties of Ireland, and no ways to oppose his majesty's authority." Irish Rebel. fol. 166.

should fit either in that, or any future parliament, till they had taken the oath of supremacy." By the first of these orders, forty-six members were expelled, and their places supplied "by clerks,³ soldiers, serving-men, and others not legally, or not at all chosen or returned; and by the last, a much greater number, unexceptionable," says Warner,⁴ "in all respects but that of their religion."⁵

The other point was insisted upon, from a well-grounded suspicion, that the Scottish forces in Ulster, that had taken the covenant, and received their pay from the English parliament, now in open rebellion against the king, would reject the cessation, as they soon after actually did. And of the reasonableness of that suspicion, the Marquis of Ormond himself, was then probably convinced, from his knowledge of their disposition and circumstances; at least, on the 8th of March following, he certainly was so, when he told Lord Digby,⁶ "that the soldiers and common people in that quarter, were so deeply infected, that he had little hopes they could be unanimously, or in any considerable number, drawn to serve the king against the rebels in England or Scotland: of the new Scots," adds he, "your lordship sees there is no hope:" and yet, even at this juncture (as we shall hereafter see) when these forces were guilty of frequent breaches of the cessation then concluded, and did at last openly reject it, he refused to join with the confederates, or even

³ Remonst. from Trim. ⁴ Ubi supra.

⁵ Carte's Orm. vol. iii. fol. 256.

⁶ "His majesty on this occasion, afterwards ordered the lord lieutenant to call before him the speaker and members of the house, and require them to vacate that order, there being no law or statute in force in Ireland to support the same. This was an act necessary to vindicate his own prerogative, which had been invaded by that order, as well as to give some satisfaction to the Roman catholics, who were thereby aggrieved in a point which they had most at heart, and on which depended all their hopes of redress, either of present or future grievances." Carte's Orm. vol. i. fol. 523.

even to countenance them by his authority, to make just reprisals upon them.

During this adjournment of the treaty, a small, but ill intended, incident had like to have frustrated all hopes of its success.⁶ One Captain Farrer, in the government's service, had been taken prisoner by the confederates; while one Synott, a captain among the confederates, was in the same condition with the government. The lords justices and council desiring to have Farrer exchanged for Synott, directed the following notice to the supreme council of the confederates. "We, the lords justices and council, do declare, if Captain Farrer be forthwith released by the rebels, and safely sent hither, that forthwith, upon his coming so released, we will give order for the releasing Synott, lately employed as captain among the rebels, out of prison, the jailor's just dues being first paid; and will then permit him to depart freely, without interruption."

The following spirited answer shews, how highly the confederates relented this (as they deemed it) new insult on their loyalty.

"WE do not know to whom this certificate is directed; for we avow ourselves, in all our actions, to be his majesty's loyal subjects. Neither shall it be safe, hereafter, for any messenger to bring any paper to us, containing other language than such as suits with our duty, and the affections we bear to his majesty's service; wherein some may pretend, but none shall have more real desires, to further his majesty's interests, than his majesty's loyal and obedient subjects.

MOUNTGARRET, MUSKERRY, &c."

Shortly after the sending of this answer,⁷ Sir William Parsons, Sir Adam Loftus, Sir Robert Meredith, and Sir

⁶ Belling's MSS. ⁷ Id. ib. Borl. Irish Rebel.

⁸ Cart. Orm. vol. i.

Sir John Temple,^c privy-counsellors, were charged before the council, by the Lords Dillon and Wilmot, Sir Faithful Fortescue, and others, with having, by divers ways and means, abused the trust reposed in them by his majesty, in their several offices and employments; and with having traiterously endeavoured to withdraw his majesty's army in Ireland, from his obedience, to side with the rebels in England. "Upon this charge, they were all imprisoned in the castle of Dublin." But we find,⁹ "that they were so dear to those English rebels, and so highly valued by them, that they avowed them for theirs, by offering in exchange for them, three of the king's chief commanders, whom they had prisoners in London."^d

The king had often and earnestly pressed the lords justices, to conclude this cessation, as the only visible means by which his distressed army in Ireland could be relieved, or himself supplied in England or Scotland with those additional forces, of which he then stood in the greatest need; but not till after the receipt of his fifth letter¹⁰ of September 7th, 1643, were his commands, in that respect, obeyed. And thus, at

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length,

⁹ Ib. vol. iii. fol. 271.¹⁰ Borlase's Irish Rebel.

^c The charge against Sir John Temple in particular, the famous author of the History of the Irish Rebellion, shews his early bent, as a writer, to publish falsehoods, viz. "The said Sir John Temple did, in the month of May last and June instant, write two traiterous and scandalous letters against your majesty, to Godwin and Reynolds (two agents of the English parliament), which letters have been since read at the close committee, and use made of them to cast false aspersions on your majesty, as fomenting and favouring the rebels in Ireland." Carte's Orm. vol. iii. fol. 206.

^d By some means, however, they were soon after bailed: On which occasion, Lord Digby wrote to the Marquis of Ormond, March 29th 1644, "that their bailing was represented in England, as a very odious thing to the people of Ireland, and threatened to be of great disservice to his majesty. If that be your excellency's opinion," adds his lordship, "you cannot want a pretence to make them fast again; and it is his majesty's pleasure you should do so." Ib.

length, on the 15th of that month, the Marquis of Ormond, and the Irish commissioners," signed the instrument of the cessation at Sigginstown; which, being confirmed by the lords justices and council, was notified, by proclamation, to the whole kingdom; the commissioners of the confederate catholics insisting, all along, on their title of dutiful and loyal subjects, which no consideration whatever could make them forego.

C H A P. VII.

The advantages of the cessation to his majesty's army.

AND, in truth, the confederates, by consenting to this cessation (as both armies were then circumstanced), gave an undeniable proof, of their having highly merited that title. Sir Philip Percival, commissary general of the provisions of the king's forces, declared, in a memorial which he afterwards gave in to the English parliament, "that both the state¹ and the army were, at that juncture, in the greatest distress; that the stores in Dublin had no manner of victuals, many times for one day; that the soldiers would not move without money, shoes and stockings; for want of which, many had marched barefooted, and had bled much on the road; and that others, through unwholesome food, had become diseased and died.²"

" That

¹ Cart.Orm. vol. i. ² Ib. fol. 156.

* "To express the necessity of the cessation (says Borlase) many persons of quality signed, the said 15th of September 1743; a writing, therein concluding it necessary for his majesty's honour and service, that the Lord Marquis of Ormond should assent to a cessation of arms." Though some of these afterwards joining with the parliament's forces, resolved to die a thousand deaths, rather than descend (adds my author) to any peace with the perfidious rebels; but stuck not at length to that protestation, altering as the scene changed." Irish Rebel fol. 170.

“ That the Irish, all this while,^b subsisted very well, carrying their cattle, especially their milch-cows, with them into the field.

“ That the state at Dublin had no money in the treasury ; sometimes wanting means even to bury their dead commanders ; that before the cessation was concluded, the government’s army was so oppressed with wants, and their necessities were so great, besides the discontent of the officers, that there was no need of any other enemy than hunger and cold, to devour them suddenly.

“ That the confederate catholics had, all this time, three armies on foot in Leinster, well furnished with necessaries and ordnance ; and that they had perfect intelligence of this distress of the state, and the condition of the English forces, knowing the prevailing strength of their own armies.”

The lords justices and council, in a letter of the 8th of May, 1643, confessed, “ that they then found the royal army suffering under unspeakable extremities of want of all things necessary to the support of their persons, or maintenance of a war ; and that they had no visible prospect, by sea or land, of being able to preserve the kingdom for his majesty, from utter destruction of the remnant of his good subjects there.”

But they were now to be relieved from this extreme distress, by those very men, whom they had hitherto considered and treated, as their worst and most implacable enemies. For the confederate catholics freely obliged themselves on the conclusion of this treaty,^c

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to

^b Sir Philip Percival was so far from being inclined to favour the Irish in this representation of their circumstances, or in any other respect, that he was one of those agents, that had been sent to the king by the protestants of Ireland to oppose the cessation. And he did so virulently oppose it, that Sir George Ratcliffe told the Marquis of Ormond on that occasion, “ that, had he not been recommended by his lordship, he would have passed at court for a round-head.” Carte’s *Orm.* vol. iii. f. 316. This Sir Philip Percival soon after joined the English rebels.

^c “ Ormond’s demand for a supply for maintenance of the king’s

to pay to the Marquis of Ormond thirty thousand pounds, for the present subsistence of his majesty's army. And in order to "vindicate themselves from the calumny" that was raised against them, as if they were rebels, and had resolved to throw off the king's government, they further engaged, to transport several thousands of their best men to Scotland, to re-inforce his majesty's army there; which engagement they afterwards performed, with great honour to themselves, and not less advantage to his majesty's service.

C H A P. VIII.

The cessation violated by his majesty's forces in Ulster.

THE cessation was scarce sooner published, than rejected by the Scots in Ulster,² still, nominally at least, under the Marquis of Ormond's command. For, upon the first notice of it, the English parliament,¹ "sent them fresh supplies of money, arms and provisions; with orders, on their arrival, to denounce fire and sword to all that should embrace it, and to march in a body, with all necessary provisions, towards Dublin."

But these Scots did not, it seems, wait for the parliament's orders. For we find the supreme council complaining to the lords justices, on the 15th of October, that "the Scots,"² who, not long before, had come

¹ Cart. Orm. vol. i.

² Lord Digby's Let. to the Marq. of Orm. Cart. vol. iii.

² Belling's MSS. Borl. Irish Rebel. f. 176.

king's forces, was not warranted by his commission to hear their grievances; the confederates refused to bind themselves by any previous stipulation, but declared their intention to grant his majesty a free gift, on the conclusion of the truce." *Lel. Hist. of Irel.* vol. iii. p. 206.

² In 1642, there were twenty thousand Scottish soldiers, "recent and veterate (says Borlase), under the Earl of Leven in the north." *Irish Rebel.* fol. 139.

come over in great numbers to Ireland, had, by the slaughter of many innocents, without distinction of age or sex, possessed themselves of large territories in the north; and that since the notice given them of the cessation, they had continued their former cruelties, upon the persons of weak and unarmed multitudes." Wherefore, they humbly proposed to their lordships, "that these violators of the cessation, and secret enemies of his majesty, might be prosecuted by the joint power of all his majesty's good subjects, of what nation soever; and that, while the succours for his majesty were in preparation, their own proceedings against them, might no way be imputed, as a desire to violate the cessation."

But this proposal being rejected by their lordships, and the hostilities of the Scots still continuing and increasing, a stop was, for a while, put to those supplies which the confederate catholics had engaged to send to the king; a great part of them now becoming absolutely necessary for their own defence. Lord Inchiquin was sensible of this impediment, when he told the Marquis of Ormond, in a letter from Oxford, February 1643,³ "that though the Irish were extremely relied on, yet he feared, they were unable to do more than defend themselves from the Scots, who, he doubted, would prove dangerous rebels to his majesty." And Lord Digby also, writing to the marquis about the same time,⁴ "made no question, but that the Irish, in case they were rid of their apprehensions of the Scots in Ulster, would engage thoroughly, numerous, and entirely in his majesty's service."

The Marquis of Ormond was himself conscious, that the increasing hostilities of the Scots prevented the confederates from sending the promised supplies to his majesty; though he afterwards charged them with their delay in the performance, as a breach of their engagement.^b For, excusing himself to Prince Rupert,

³ Carte's Orm. vol. iii. fol. 244. ⁴ Id. ib.

^b Peter Walsh seemed to think, that this engagement was merely

pert, "touching the procuring of arms^s and ammunition from them, for the service of his majesty's ships under his command, he told him, that he had little hopes of prevailing with them; and that they were not very much to blame, the Scots being yet in Ireland in great numbers, and fresh reports coming daily, that they would not only begin the war with them in England afresh, but endeavour to impose the taking of their covenant on the people of Ireland, by force of arms."^c

C H A P. IX.

The covenant brought into Ireland; further breaches of the cessation by the Scotch and English forces.

THE English parliament having, on the 25th of September, 1643, with great solemnity, taken the covenant, dispatched on the 4th of November following, Captain Owen O'Connolly, the famous discoverer of the Irish rebellion, with letters to all the British colonels in Ulster, "recommending to them the taking of the same," and the carrying on the war against the Irish; and assuring them of sufficient supplies for their maintenance, upon complying with these conditions."^a

And

^a Carte's Orm. vol. iii. fol. 28c.

^c Ib. vol. i. fol. 487.

merely voluntary (like that of their free gift of thirty thousand pounds) on the part of the Irish: "It is certain (says he), that both English and Irish were engaged by duty to transport their arms into England, for his majesty's assistance; but to say, that the Irish were engaged by articles to do the same, is a meer fiction." Reply to a Person of Quality, p. 51.

^c In another letter he says, "I have with much earnestness pressed the Irish for some considerable payment of their arrears; but their preparations for their own defence, and poverty of the kingdom, wasted and exhausted by war, makes me doubt their supplies will be slow and small." Carte's Orm. vol. iii. f. 315.

^a "The London adventurers sent over an agent with letters at the same time, pressing the same things, and giving the same assurances." Cart. ubi supra, fol. 486.

And this commission did O'Connolly undertake to execute, although he knew that the king had, on the 9th of the foregoing month, declared by proclamation, "that covenant to be a traiterous and seditious combination against him, and against the established religion and laws of the kingdom." This man had now entered into all the measures of the English rebels;^b and was soon after made a colonel^a by them; but about the year 1649, he was killed in an engagement, by Colonel John Hamilton.

After the landing of O'Connolly, "all the Scotch, and most of the English officers in Ulster, took the covenant; although the Marquis of Ormond had, by the king's command, sent down a proclamation against it, which the colonels of the regiments under his command there did not publish, for fear, as they pretended, of Major General Monroe. The inhabitants of the north were now become so violent for the covenant, that they even refused maintenance^c to such of the soldiers as would not take it."

And now, even those English officers^d and soldiers in Ulster (who had submitted to the cessation), were prevailed

^a Id. ib.

^b He had gotten, for the first discovery of this conspiracy, five hundred pounds and two hundred pounds per ann. from the English parliament. *Borl. Hist. of the Irish Rebel.* fol. 55.

Yet, says Maul, Bishop of Dromore, "when the memorable act of settlement passed in the year 1662, there were lands of some of the rebels forfeited estates in the county of Dublin, to the value of two hundred pounds a year, ascertained and expressly secured, for the use of Arthur and Martha O'Connolly, orphans of Colonel Owen O'Connolly." *Sermon on the 23d of October, 1641, note.*

^c "They, who had ever appeared most attached to the royal cause, now caught the popular contagion," (of the covenant.) *Lel. ubi supra, vol. iii. p. 223.*

^d These English officers soon after published a declaration, wherein they set forth, "that though they were not under the command of the Scots, yet they had joined with them in all their expeditions, and had made a stricter association with them since

prevailed on to promise Major General Monroe, that whenever he marched out against the Irish, they would join him in the expedition;³ and of the justice of this union, against such an enemy, they declared themselves satisfied in their consciences. "Accordingly,⁴ on the 30th of June, the two combined armies, making about ten thousand foot, and one thousand horse, (though neither Owen O'Neil, nor the Earl of Castlehaven, the two Irish generals in that province, did suspect in the least, that either the old Scots, or the English under the Marquis of Ormond, would march against them, in breach of the cessation), sent out several parties into Westmeath and Longford, which burnt the country, and put to the sword all the country people that they met."

Major General Monroe's ingratitude and perfidy were, in every respect, equal to his cruelty. This appeared by his behaviour to the Earl of Antrim, soon after his arrival in Ireland. "Mr. Archibald Stuart, chief agent to that earl, had raised, in the beginning of the troubles, about eight hundred men, a great part

³ Carte's Orm. vol. i. f. 487. ⁴ Id. ib. ⁵ Ib. f. 188.

since the cessation to carry on the war (against the confederates) upon condition the covenant should not be pressed upon them. However, the committee from the English parliament still continued to press the covenant; resolving upon their refusal, to strip them of their respective commands and employments." Cart. Orm. vol. i. f. 539.

"Upon his army's approach to Newry, in the beginning of May 1642, the rebels quitted the town; but Monroe put sixty men, eighteen women, and two priests to death there. The same general, when before Charlemont, the 15th of July following, after taking a view of the place, making a prey of cattle, and killing seven hundred country people, men, women, and children, who were driving away their cattle, returned to Newry, without doing any other service." Carte's Orm. vol. i. fol. 309, 311.

"George Monroe afterwards delivered Enniskillen to Sir Charles for five hundred pounds; though a little before he had from Lord Clanrickard one thousand two hundred pounds for to secure it." Borl. Hist. of the Irish Rebel. f. 314.

part of them the Earl of Antrim's tenants and dependants, near Ballymenagh; and with them secured that part of the county of Antrim; notwithstanding which, this major general, with two thousand five hundred Scots, marched about the middle of April, 1642, into that country, where he made a prey of above five thousand cows, burnt Glenarm, a town belonging to the Earl of Antrim, and wasted that nobleman's lands. The earl came, in the latter end of April, to his seat at Dunluce, a strong castle by the sea side; and after his arrival there, found means to supply Colerain, which had been blocked up by the Irish, and was reduced to extremity, with an hundred beeves, sixty loads of corn, and other provisions, at his own expence. He had offered Monroe his service and assistance for securing the country; in the peace of which he was greatly interested, by reason of his large estate, the rents of which he could not otherwise receive. Monroe made him a visit at Dunluce, where the earl received him with many expressions of gladness, and had provided for him a great entertainment; but it was no sooner over, than the major general made him a prisoner, seized the castle, and put the rest of the earl's houses into the hands of the Marquis of Argyle's men."

The

"Who, through the favour of a close night, escaped, though pursued, and at Finagh-bridge (their forces) met with a severe slaughter; Nugent's house of Calestown they burnt, and hanged him." *Borl. Hist. of the Irish Rebel.* f. 204.

He afterwards escaped "into Flanders, and from thence came to the prince, then in the west; he came, with two good frigates into the port of Falmouth, and offered his service to his royal highness; and having in his frigates a quantity of arms and some ammunition, which he had procured in Flanders for the service of Ireland, most of the arms and ammunition were employed, with his consent, for the supply of the troops and garrisons in Cornwall; and the prince made use of one of the frigates to transport his person into Scilly, and from thence to Jersey; without which convenience, his highness had been exposed to great difficulties, and could hardly have escaped the hands of his enemies." *Clar. Life*, vol. ii. p. 247.

The continuation of the before-mentioned outrages of the Scots in Ulster, in breach of the cessation, caused Lord Digby to write to the Marquis of Ormond, in July 1644, "that⁶ the growing disorders of the kingdom imported a greater necessity of peace with the Irish, and of an union against those traitors of the covenant, so much more dangerous than any other, as they were firmly linked with the rebels in England."

C H A P. X.

The revolt of Lord Inchiquin.

ABOUT this time died Sir William St. Leger, Lord President of Munster; and the king having appointed the Earl of Portland to succeed him in that charge,¹ Lord Inchiquin, who was married to Sir William's daughter, and had solicited and expected that presidentship after his father-in-law's decease, was now so much incensed by the disappointment, that he was easily persuaded by Lord Broghill,² to reject the cessation, and to receive the English parliament's commission for the presidentship of Munster, in opposition to the king's appointment. "In this capacity," he performed many considerable services for that parliament, taking great store of plunder from the Irish, and not sparing," says Ludlow, "his own kindred; but if he found them faulty, hanging them up without distinction."

But one of his most memorable services on this occasion, was his barbarous exploit at Cashel;⁴ "where, having brought together an army, and hearing that
many

⁶ Cart. Orm. vol. iii. fol. 335.

¹ Id. ib. vol. i. fol. 512.

² Ludlow's Mem. vol. i.

³ Id. ib.

⁴ Id. ib. Castlehaven's Memoirs.

^{*} Inchiquin "by the help of the Lord Broghill, son to the Earl of Cork, possessed himself of Youghal, Kinsale and Cork, whereof two are haven-towns, all considerable in Munster." Leyburne's Memoirs, Preface, p. xxviii.

many priests and gentry thereabouts had retired with their goods into the church of that city, he stormed it, and put three thousand of them to the sword, taking the priests even from under the altar.”^b

At the same time that he himself deserted the king’s service,^c he persuaded his brother, Lieutenant Colonel Henry O’Brien, to deliver up Wareham to the English parliament, and to come away, with his whole regiment, to Ireland. This lieutenant colonel was afterwards^d taken prisoner by the confederates, and in great danger of an unhappy end, in revenge for a Roman catholic dean, whom his brother had lately caused to be hanged, and for his own crime in delivering Wareham to the parliament. But Lord Castlehaven, alleging “that for this very reason he ought, for a testimony of their own loyalty, and of their detestation of his breach of trust, to be sent as a present to the king, to be punished as his majesty should see fit; he was saved from present execution, and afterwards exchanged.”

Though Inchiquin’s disappointment was the real cause of his defection, yet he pretended another, and more extraordinary reason for it to the Marquis of Ormond, viz. “an information^e he had received from some English women, of a common talk of some of the

^c Carte’s Orm. vol. i. fol. 513.

^d Id. ib. fol. 529.

^e Id. ib. vol. iii.

^b “Near twenty priests were then slaughtered in that cathedral.” Carte’s Orm. vol. ii. fol. 9.

Mr. Carte relates that affair thus, but upon what authority he does not say. “Inchiquin, before he attacked the cathedral, offered the inhabitants (of Cashel who retired into it) and the garrison, leave to depart, upon condition they advanced him three thousand pounds, and a month’s pay for his army. The proposal was rejected, and the place being taken by storm, a prodigious booty was found there, and great slaughter made of the garrison and citizens, before Inchiquin entered the cathedral and gave orders that none should be put to death.” Id. ib. But Mr. Carte does not pretend to account, why Inchiquin did not enter the cathedral, and give these orders until all the citizens and garrison were put to death.

the Irish, that they designed to seize Cork," and upon this frivolous pretence, he drove all the magistrates and catholic inhabitants out of that city; as also out of Youghall and Kinsale, "allowing them to take no more of their goods with them, than what they could carry on their backs,"⁸ seizing all the provisions and effects in their houses." Lord Digby, by his majesty's command, recommended these distressed people to the Marquis of Ormond's care. "The king," says he,⁹ "is very sensible of their sad condition, and will not soon forget the inhumanity of that lord."

But Inchiquin,^c in order to engage his officers and soldiers in the same measures he had embraced himself, caused an oath to be administered to them,¹⁰ by which they obliged themselves to endeavour the extirpation of popery, to carry on the war against the Irish, notwithstanding any command, proclamation, or agreement to the contrary; and to submit to no peace or conditions with them, but by consent and allowance of king and parliament. This was then a favourite mode of expression with those who fought, in the king's name, against his person.

C H A P.

⁸ Cart. Orm. vol. i. ⁹ Ib. vol. iii. fol. 353.

¹⁰ Belling's MSS.

^c "The Lord Inchiquin," says Borlase, "who being easily wrought on to agree to the cessation, carried over many of his Munster forces to the king, who, in memory of his service, bestowed on him a noble wardship, and would have made him an earl, but the presidency of Munster, predisposed of to the Earl of Portland, being his aim, he returns again into Ireland." Irish Rebel. fol. 198. Inchiquin, Bröghill, and their officers, wrote different letters to the king and both houses of parliament against the cessation; and desiring that the Irish might be again proclaimed rebels. Id. ib.

C H A P. XI.

The confederates send supplies to the king.

HOW much soever the king has been censured,* for employing his Irish catholic subjects against his English and Scottish rebels (even by those who had actually reduced him to that necessity), his majesty's good opinion of their courage and fidelity, was certainly well-grounded. Lord Byron, in a letter from Chester to the Marquis of Ormond, January 30th 1643, requiring supplies from Ireland,¹ "wished they were rather Irish than English; for that the English he had already were very mutinous; and being," says he, "for the most part this countrymen, are so poisoned by the ill-affected people here, that they grow very cold in this service." And, indeed, that this preference in favour of the Irish, was just and reasonable, appears from

¹ Carte, Leland, &c.

* "It was Lord Inchiquin above-mentioned, that first moved the king to send for the forces of Ireland into England." Borl. Hist. of the Irish Rebel. fol. 203.

'Tis true, that by the act of adventurers, 17 Carol. "the king was restrained from making any peace or cessation with the Irish;" but by the same act, the money that was thereby raised was to be no otherwise employed but towards suppressing the rebellion in Ireland; and by the parliament's failure as to this condition (for as we have already seen, they employed it in their war against his majesty), they left the king free as to the other condition, if necessity should oblige them to overlook it, as it certainly did. "Great sums of money," says Clarendon on this occasion, "were daily brought in, and preparations and provisions, and new levies of men were made for Ireland. But the rebellion in England being shortly after fomented by the parliament, they applied very much of that money brought in by the adventurers, and many of the troops which had been raised for that service, immediately against the king. And by this means Ireland was unsupplied, and the rebellion spread and prospered with little opposition, for some time." Clar. Life, vol. ii. p. 113-14.

from hence, that such of the English protestant forces as were commanded over on that duty, "went with such reluctance," says Borlase,² "as the sharpest proclamations, of which there were several, hardly restrained them from flying their colours, both before and after their arrival in England."^b But with how much spirit and alacrity the Irish crowded into that service, and what wonders they performed in it, shall be presently related from unquestionable authority.

But there now arose a new and more substantial impediment, to the transmission of these supplies by the confederates,³ "from the Irish coasts being infested by swarms of rebel ships,"^c whose commanders shewed no mercy to such of the royal party as had the misfortune to fall into their hands. For "of one hundred and fifty men,⁴ whom the Marquis of Ormond had about this time sent to Bristol, and who happened to be taken by Captain Swanley, commander of a parliament ship, seventy, besides two women, were inhumanly thrown overboard, on pretence that they were Irish." This struck a just terror into all the neighbouring ports, and scarce a ship durst stir out of the harbour. Shortly after, however, several hundred Irish ventured off to his majesty's assistance; "and on the third day of their sailing," having taken a Scotch vessel,

² Hist. of the Irish Rebel, fol. 177. ³ Cart. Orm. vol. i.

⁴ Ormond's Let. Cart. Collect. of his Papers, vol. i. p. 48.

⁵ Carte's Ormond, vol. i.

^b "They deserted to Sir Thomas Fairfax, notwithstanding their solemn oath; and numbers of them were persuaded to take arms for the parliament." *Lel. Hist. of Irel.* vol. iii. p. 216.

^c The Marquis of Ormond himself, in a letter to the Archbishop of York, May 27th, 1644, mentions these two great impediments to the transmission of the Irish supplies. "In addition to other difficulties," says he, "we are here threatened with an invasion of the Scots out of the north, who have treacherously surpris'd Belfast, and attempted other English garrisons; so that until these seas be cleared, and the danger of the Scots over, Anglesey can expect little indeed, or no succour out of Ireland." *Carte's Collec. of Orig. Papers*, vol. i. p. 48.

fel, with about fifty kirk-ministers, deputed to preach up and administer the covenant in Ulster, instead of retaliating Captain Swanley's late inhumanity, they contented themselves with only making them prisoners." ^d

On the 16th of May, 1644, the Earl of Antrim acquainted the Marquis of Ormond, that "he had then," ⁶ for three months past, maintained by his own credit, and that of his friends, at least two thousand men, ready to be shipped off, waiting for their arms and provisions; which, he feared, would not come so soon as expected, while the parliament ships were so thick on that coast." ^e

Yet so great was that lord's zeal for his Majesty's service, and so little did the Irish fear the danger then attending it, that on the 27th of the following month, he wrote again to the marquis, "that he had sent off about sixteen hundred men," ⁷ being as many as the ships could conveniently hold, completely armed by his own shifts, besides fifteen hundred pikes; and that he had discharged seven or eight hundred men for want of shipping."

⁶ Ib. vol. iii.

⁷ Id. ib.

^d The Marquis of Ormond, in a letter to Lord Digby, March 8th, 1643, says, "if I had arms, provisions to keep, and ships to transport them, I should not doubt, from the ports in the king's obedience, to send at times, considerable numbers of Irish, with little noise, and without the help of the pretended Irish council." Carte's Orm. vol. iii. f. 246.

And Lord Inchiquin, in a letter to the Marquis of Ormond, Oct. 10, 1643, tells him, that, "notwithstanding the increasing hostilities of Scots in Ireland, who he feared would prove dangerous rebels to his majesty, he thought, that some five thousand Irish might be raised, and sent over to his majesty's assistance, though his majesty should desire none but volunteers, not enlisted there." Ib. f. 244.

^e "I am sorry," says Secretary Nicholas, in a letter to the Marquis of Ormond, May 20th, 1644, "that the passage to and from Ireland, is, by the English rebels shipping on that coast, rendered so difficult; and that there is no possibility for the king suddenly to set forth and maintain such a guard upon the Irish coast as to suppress their forces by sea." Carte's Collect. of Orm. Orig. Papers.

shipping." But his lordship seems to have shifted, so well afterwards, that we find, by a letter of the Marquis of Ormond, July 17th following,^f "that" the number of men then embarked by him (Antrim) from Waterford and other places, amounted to two thousand five hundred, well armed, and victualled for two months." For which good service, "in the year 1644, the Earl of Antrim had the dignity of marquis conferred upon him."^g

Lord Clarendon's high encomiums on this nobleman's zeal and activity in the king's service; and on the valour, fidelity, and wonderful success of these Irish in promoting it, is the more remarkable, as it is well known, that his lordship was not at all biased by any partial affection to either of them.^h ¹⁰ "It cannot be denied," says he, "that the levies the Marquis of Antrim made, and sent over to Scotland under the command of Colkitto,^h were the foundation of all those wonderful acts, which were performed afterwards by the Marquis of Montrose. They were fifteen hundred men, very good, and with very good officers; all so hardy, that neither the ill fare, nor the ill lodging, in the

^g Carte's Orm. vol. iii. fol. 328.

^h Enquiry into the Share, &c. p. 305.

¹⁰ Clarendon's Life written by himself, vol. ii. p. 246. See Append.

^f Yet the Marquis of Ormond, in a letter of that same 17th of July, 1644, owns, "that the Irish coasts were then invested with a swarm of rebel ships." Cart. Orm. vol. iii. p. 327.

^g Lord Clarendon in a letter to the Duke of Ormond July 18th 1663, has these words: "I know not whether you have yet received the king's letter about my Lord Antrim, of whom you know I was never fond. It is strange that you have not sent the informations to us, (if there were any against him) for we know the king was not more inclined towards him than law and justice required." Cart. Orm. vol. ii. fol. 282. Lord Antrim's trial for the recovery of his estate, was then depending in the court of claims in Ireland.

^h "Sir Alexander Mc'Donnell, alias Colkitto, was afterwards killed, together with his lieutenant colonel, at the battle of Knockones, Nov. 13th, 1647, fought between Inchiquin's and Lord Taaffe's forces." Borl. Irish Rebel. fol. 243.

frequently importuning the Marquis of Ormond," "to use all possible means to assist, and encourage, the Earl of Antrim, and his forces, in the service of Scotland; whereof the king's party," says he, "find such admirable effects in England." Nor on the other hand, is it at all strange, that in order to prevent their coming into England, the parliament of that kingdom passed that cruel ordinance of the 24th of October, 1644,¹² "that no quarter should be given to any Irishman or papist born in Ireland, that should be taken in hostility against the parliament, either upon the sea, or in England or Wales."¹

C H A P. XII.

The confederates press the Marquis of Ormond to take the command of their forces.

THE hostilities daily committed on the confederates by Monroe in Ulster, Sir Charles Coote in Connaught, and by Inchiquin in Munster, in breach of the cessation, caused them often to repeat their earnest request to the Marquis of Ormond,² now lord lieutenant of

¹¹ Carte's Orm. vol. iii.

¹² Borl. Irish Rebel. fol. 178. See Hughes's Abridgment.

¹ Together with strict orders "to the lord general, lord admiral, and all other officers, by sea and land, to except all Irishmen and all papists born in Ireland, out of all capitulations, agreements, or compositions, hereafter to be made with the enemy; and upon taking of every such Irishman or papist born in Ireland, forthwith to put such person to death." Hughes's Abridgment of Acts, &c. p. 165.

² Who was fully sensible of the heinousness of that breach. For, in a letter to Colonel Mathews, so soon after its conclusion as December 14th, 1643, he says, his majesty having agreed thereunto (the cessation), and published to the world by his proclamation, that the same should be kept, is bound by honour and all laws, to maintain it with all his power; from whence it doth follow, that all who shall oppose it, must oppose himself against his power and authority." Cart. Orm. vol. iii. fol. 218.

of Ireland,^b that he would condescend either to take the command of their forces upon himself, or to permit them to employ them against those now his majesty's open and declared enemies. They were the more importunate in this request, as they were privately assured, that orders of that kind had been already sent to his excellency; for his majesty had promised that the marquis should join with them,^c particularly against the Scots in Ulster, when a peace or cessation was concluded; "it being understood," says Lord Digby on this occasion, "that, if the Scots submitted not to it, they should then be declared against as common enemies."

The marquis himself was fully sensible of the rebellious dispositions of these Scots. He even owned, in a letter to Lord Digby, July 17th, 1644,^d "that he doubted not, but that, when they were all able, they would endeavour to be masters of all the harbours and other places of consequence in the kingdom, on pretence of securing them against papists, and malignants." Soon after this, he acquainted the Earl of Clanrickard,^e "that he had discovered a conspiracy, whereby Drogheda first, and by consequence Dublin, was to have been put into their hands." On the other side, he confessed, that by accepting the command of the confederates army,^f "he might have drawn their dependence upon him, and been able to dispose of their forces, according to his majesty's pleasure, for the advantage

X 2

¹ Carte's Orm. vol. iii. fol. 346. Letter to Ormond.

² Id. ib. fol. 327.

³ Id. ib. fol. 370.

⁴ Id. ib. fol. 322.

^b "On the 21st of January, 1644, James Marquis of Ormond was solemnly, in Christ church, Dublin, sworn lord lieutenant, with general acceptance." Borl. Hist. of the Irish Rebel. fol. 110.

^c The king himself in the postscript of a letter to Ormond, in December 1644, says on this occasion, "I have thought to give you this further order (which, I hope, will prove needless) to seek to renew the cessation for a year; for which you shall promise the Irish, if you can have it no cheaper, to join with them, against the Scots and Inchiquin." Reliq. Sacræ Carol.

vantage of the service, either in Ireland, or elsewhere ; that he was assured the confederates, in case of his compliance, would provide the king's army then in his charge ; but that, if he refused, they might conceive they were not obliged to it, having, as they alleged, paid all that was promised,⁶ or been damnified by his party in more than remained due, since the cessation." He knew, that actually at that very juncture, these confederates were preparing six hundred barrels of corn, and four hundred beeves, for his army ; and, in short, that all his hopes of subsistence then depended upon them, and that a breach with them, for which they did not want a colour, might have stopt that supply."

Yet, in opposition to all these motives of duty, necessity, and convenience, his excellency alleged, as his principal reason for not complying, " that if he agreed to either of the ways desired by the Irish ; that is," says he, " if I take the charge of their army upon me, or denounce immediately an offensive war against the Scots, not ten protestants will follow me ; but rather rise as one man, and adhere to the Scots.⁷ Nay " he was confident, he should, in that case, be suddenly and totally deserted by the protestants."

After such a representation of the different dispositions of the protestants and catholics of Ireland at that distracted period, and by so great and competent a judge and witness, who can entertain the least doubt, but

⁵ Cart. Orm. vol. iii. fol. 322.

⁶ Id. ib. fol. 323.

⁷ Id. ib.

^d The confederates had assured Daniel O'Nial, a colonel in the king's service, whom Ormond sent to them on this occasion, " that though by the agreement in writing, his excellency was to receive 30,000*l.* yet, to their agents or commissioners who treated with him, he engaged his honour, that 15,000*l.* should make satisfaction." Cart. Orm. vol. iii. fol. 308.

On occasion of this gentleman's death, in 1669, King Charles in a letter of that date, to his sister, the Dutchess of Orleans, says, " poor O'Nial died this afternoon of an ulcer in his guts ; he was as honest a man as ever lived ; I am sure I have lost a good servant by it." Sir John Dalrymp. Mem. Append. vol. i. p. 32.

but that the latter were really, and the former only nominally, his majesty's loyal subjects.

And indeed, not only the confederate catholics, but even several other noblemen of the kingdom, entirely unconnected with them, pressed earnestly for a declaration of hostilities against those violators of the cessation. The Earls of Thomond and Clanrickard, and the Lords Dillon, Taaffe, Ranelagh, Fitzwilliams and Howth, jointly urged the necessity of that measure in an affecting memorial, addressed to his majesty; wherein, after having represented^s "their distracted condition, exposed to the mercy of two powerful armies, the one of the confederate catholics (if," say they, "they were disposed to make any invasion upon us) and the other of the Scotch covenanters, and such as adhered unto them, who by burning, spoiling, and committing of cruel and hostile acts, had broken the cessation, and cast off all obedience to his majesty's government; they humbly proposed, that the lord lieutenant and council might be commissioned to proceed in the articles and conditions of peace," with the moderate and well affected on both sides; and that, in regard the Scotch covenanters and their adherents did refuse to pay obedience to his majesty's government, they might be speedily declared enemies, and his majesty's power employed for the suppressing of them; to which the confederate party," added they, "who kept the cessation, would doubtless give their best assistance."

C H A P.

^s Carte's Orm. vol. iii. fol. 322.

* The Marquis of Ormond had before this time, received a commission to conclude a peace with the confederate catholics.

C H A P. XIII.

The king sends Ormond a commission to conclude a peace with the confederates.

ON the 26th of July, 1644, the Marquis of Ormond had received a commission from his majesty, to conclude the peace mentioned in the above memorial with the confederate catholics, upon such conditions as should appear to him just and honourable. In the treaty for that purpose, which was not begun till the 6th of September following, the confederates insisted, as they had before done in the treaty for a cessation, upon the dissolution of the present parliament,* and the

* "On account of its being determined by the death of Lord Deputy Wandesford, in 1640, and of the illegal order made by it since, August 7th, 1641, excluding Roman catholics from the house." (Carte's Ormond, vol. i. fol. 517.) And because, "a considerable number of the commons was then made up of clerks, soldiers, and serving-men and others, not legally, or not at all chosen or returned, nine parts of ten of the natural and genuine members thereof being absent, it standing not with their safety to come under the lords justices power." Remonstrance from Trim.

In this treaty also, the Irish commissioners proposed, "that the Scots in Ulster, who had violated the cessation, and all those that adhered to them, should be proclaimed traitors; but this proposal was likewise rejected." Cart. ib. vol. i. fol. 519.

In what contempt this house of commons was held, even by the chief governors of Ireland, at that juncture, appears by their privileges having been often insulted by their order of billeting soldiers on the houses of the members in Dublin, during the sessions, and by their proroguing them at pleasure, from the year 1642 to 1646, not less than thirty-eight times, notwithstanding the frequent and clamorous remonstrances of the commons against both these infringements. During the session of 1644, Lambert, the provost marshal of the city of Dublin, was not afraid to lay violent hands on one Johnson, a member, in contempt of his privilege, to drag him barbarously from his house, without hat or cloak, through the streets to the Tholsel,
on

the calling of a new one ; and upon the repeal of the penal statutes against the exercise of their religion.

For their first demand, they had now much better grounds, than when they treated for a cessation of arms, for they had since learned that his majesty, in a letter of the 2d of July, 1643, directed to the lords justices and Marquis of Ormond himself, had commanded them, to “assure the Irish, in his name, that he was graciously inclined to dissolve the present parliament, and call a new one, between that and the 10th of November following ; and to take a course to put all those that should be chosen members of said parliament into such a condition, as that they should not be prejudiced of their liberty of assisting, sitting, and voting, in said parliament.”^b

And with respect to the repeal of the penal statutes, the Marquis of Ormond himself owned,² “that the confederates had been assured, by divers, and by some as from the king, that his majesty would not stick at it ; Lord Taaffe and Mr. Brent affirming, that they had command from the king to give them that assurance ; and that generally, all who came from court, declared, that it was not only his majesty’s sense, but held reasonable by most of his servants on that side, whether of the army or others.”

To these two points, however, his excellency could, by no means, be persuaded to agree. Their first proposal of calling a new parliament,^c he absolutely rejected, though

¹ Borl. Hist. of the Irish Rebel. fol. 164.

² Carte’s Orm. vol. iii. fol. 430.

on a warrant for the trifling sum of four shillings ; and being warned of the danger of thus treating a member of parliament, he scornfully answered, undervaluing and slighting his privilege, that he had hanged many an honest man than he.” Which probably was very true. See Supplement to the Com. Jour.

^b This his majesty had promised in order to induce the Irish to conclude the cessation. See that letter in Borl. Hist. of the Irish Rebel.

^c It appears, that Ormond would have had his powers to grant a new parliament concealed from the Irish, and that he was displeased

though he knew that the present parliament was irregular and illegal.' "Their new parliament," says he, in a letter to Lord Digby on this occasion, "is to be, at no hand admitted." And how obstinately he persisted in refusing the repeal of the penal statutes, notwithstanding his enlarged powers to grant it, will hereafter appear. In short, he seems to have all along concealed his own settled aversion to the peace, under the pretence "of taking with him, in that great work, the advice of the privy-council," in which, nevertheless, he owned, "that his majesty had not a ruling number;" it being, as we have seen, composed of men already predetermined against even a cessation with the confederate catholics, almost upon any terms.

C H A P. XIV.

The treaty of peace adjourned.

THUS was the treaty adjourned from the 6th of September to the 10th of January following; and afterwards, by means of the same disagreement in the two points above-mentioned, to the 10th of April, 1645.

On occasion of this last adjournment, Lord Clanrickard^a told his excellency, "that if the confederates
commissioners

³ Cart. Orm. vol. iii. fol. 430.

⁴ Id. ib. fol. 340.

displeased at finding they had got intelligence of them. Of this he complained in a letter to Lord Digby, January 13th 1643, "My advice, (says he) for the continuance of the present parliament came to be known to some about the court, that gave intimation of it to the Irish. I shall notwithstanding, deliver my opinion freely, and faithfully; but, if I be not unnecessarily represented to them, as an hinderer of their desires, I shall be better able to serve the king in what he expects. I wish that none of the Irish be made acquainted with my dispatches." Cart. Orm. vol. iii. fol. 228.

^a The very extraordinary merit and services of this lord, though a Roman catholic, are universally allowed. The Marquis

commissioners should then depart in that unsettled condition, he was confident it would not be in the power of any, the best affected, to prevent a sudden and irrecoverable breach.¹ And freely," adds his lordship, "to declare my own opinion, if these commissioners have so moderated their propositions as is reported, that they will insist on no material demand, but that, without which neither themselves, nor any of that religion, can securely enjoy the liberty of conscience, or live either with honour or safety; to break upon such a point, may prove much to the disservice of his majesty."

As a further incitement to the conclusion of this peace, Lord Digby had informed his excellency, in February 1644,² "that the Scottish commissioners at London, having gained a tyranny over the English, were the only hinderers of peace, and most fierce in the

¹ Id. ib. fol. 351.

² Id. ib. fol. 384.

quis of Ormond, in a letter to Lord Digby, says, "the Earl of Clanrickard's merits and abilities are such, that I cannot readily advise of any proportionable reward and encouragement for them. But it shall be my work, and an hard one it will be, his majesty and the present times considered, to find out what will best fit and please him." Cart. Orm. vol. iii. fol. 289.

"To whom (Clanrickard) the English resorted with much security, and were indeed by him relieved with great hospitality, to an incredible charge of his own purse, hanging many, though of his own kindred, whom he found imbrued in blood, greatly resenting the barbarity and inhumanity of the Irish, inasmuch as Hubert Boy Bourk and Sir Ulick Bourk, his near relations, preying on the English, he often frustrated, by discovering their designs, and furnishing Sir Charles Coote, from time to time, with supplies of arms and ammunition, to oppose them and impoverish their country." Borl. Irish Rebel. fol. 100.

"He was not (says Mr. Grainger) a man of shining abilities, but of great humanity, courtesy, and generosity, strongly attached to his friends, a true lover of his country, above all sordid views or motives of private interest; he adhered to the crown from principle, and had a particular affection to the king's person. Judge Lindsay has given a masterly character of him before his book (Memoirs); this character is contrasted with that of the Marquis of Ormond." Biograph. Hist. vol. ii. fol. 149.

the point of Ireland, as," adds he, " they had reason; for in this treaty, a clear discovery is made, that Ireland is wholly given up to them, by the close committee of state."^b

His majesty, in a letter to the Marquis of Ormond of the 18th of the same month, thus emphatically expresses himself, on the subject of this treaty.³ " A peace with the Irish is most necessary to my affairs in England; wherefore, I command you to dispatch it out of hand. And I do hereby promise them, and command you to see it done, that the penal laws against the Roman catholics shall not be put in execution, the peace being made, and they remaining in their due obedience. And further, when the Irish give me that assistance, which they have promised, for the suppression of this rebellion, and I shall be restored to my rights, I will consent to the repeal of them by a law."

In short, so impatiently did the king desire and urge the conclusion of this peace with the confederates upon
the

³ Cart. Orm. vol. iii.

^b And the king himself in a letter to the Marquis of Ormond February 17th, 1644, after mentioning many reasons to shew the necessity of this peace, adds, " besides its being now manifest, that the English rebels have, as far in them lies, given the command of Ireland to the Scots; that their aim is at a total subversion of religion and regal power, and that nothing less will content them or purchase a peace here. I think myself bound in conscience not to let slip the means of settling that kingdom (Ireland) if it may be fully under my obedience; nor to lose that assistance which I may hope from my Irish subjects. For their satisfaction, I do therefore command you to conclude a peace with the Irish, whatever it cost, &c." Reliq. Sacre Carolin. p. 245.

The king in a former letter to Ormond, on the 9th of Feb. 1644, thus reasons with him on the necessity of concluding this peace with the confederates; he tells him, " that the rebels in England had agreed to treat with him; and that most assuredly one of the first and chiefest articles they would insist on, would be to continue the Irish war, which is a point (says his majesty) not popular for me to break on; and that the timely conclusion of the peace with the confederates, would take off that inconvenience, which otherwise he might be subject to by the refusal of that article on any other reason." Cart. Orm. vol. iii.

the terms above-mentioned, that he dispatched another letter to the Marquis of Ormond, on the 27th of the same month of February, wherein we find these remarkable words.⁴ "I do therefore, command you to conclude a peace with the Irish, whatever it cost. And though I leave the management of this great and necessary work entirely to you, yet I cannot but tell you, that if the suspension of Poining's act for such bills as shall be agreed on between you there, and the present taking away the penal statutes against the papists by a law, will do it, I shall not think it a hard bargain, so that freely, and vigorously, they engage themselves in my assistance against my rebels in England and Scotland; for which no conditions can be too hard, not being against conscience."

Yet, notwithstanding these enlarged powers, and repeated commands, to gratify the confederates in a matter so reasonable in itself, and, in its consequences, so essential to his majesty's service, the marquis, at his next meeting with their commissioners in April 1645, thought fit to dismiss them, not only discontented, but altogether hopeless, in that respect.⁵ For, besides his persisting in the refusal of these conditions, and his denying that he had received any such instructions as are contained in his majesty's letter of the 27th of February now mentioned (of which instructions,⁶ however, Lord Taaffe, Mr. Burke, and Mr. Brent, who had lately seen the king, had given them intelligence), he was hardy enough even to tell his majesty, in his answer to that letter,⁶ "that he treated with these commissioners in such a manner, and gave them such

⁴ Cart. Orm. vol. iii.

⁵ Id. ib. fol. 430.

⁶ Id. ib.

^c "One thing (says Ormond in a letter to Lord Digby) I shall beseech you to be careful of, which is to take order, that the commands that shall be directed to me touching these people (the confederate catholics) if any be, thwart not the grounds I have laid to myself in point of religion; for in that, and in that only, I shall resort to the liberty left to a subject, to obey by suffering." Cart. Orm. vol. iii. fol. 534.

"Ormond concealed the additional powers he had received for consenting to the abrogation of the penal statutes. He treated on the terms formerly proposed." Lel. vol. iii. p. 246.

such answers, as might let them conjecture, that he had directions to the contrary.”^d

· C H A P. XV.

The Earl of Clanrickard expostulates with Ormond upon his last answer to the confederates commissioners.

BUT his excellency being now conscious, that he had raised some ill humours in the general assembly at Kilkenny, by his late answers to the commissioners in Dublin, prevailed on the Earl of Clanrickard to make a journey thither in order to appease them. That nobleman was a Roman catholic, and therefore, supposed to have some influence on the members who composed that assembly. In his letter from Kilkenny, May 26th 1645, he told the Marquis of Ormond, “ that the answers he was pleased to give in Dublin to the propositions of the confederates commissioners, had been reported to the assembly, and, as he was informed, very favourably represented, and all entertained with appearance of good satisfaction; but that the part which concerned religion, being reserved for the last, was very sadly received. And, indeed, my lord,” adds he, “ the truth is, I find little probability of persuading a settlement of peace, if the penal laws, for so much as lays a penalty or incapacity upon them for the exercise of their consciences, be not repealed; and

^a Cart. Orm. vol. iii.

^d The reason assigned by him for this proceeding, is pretty extraordinary, and seems to have added the sin of ingratitude to that of disobedience. “ If I had done this, (says he, in the same letter) the treaty would have been immediately broken, and the greatest part of our subsistence, (which is from their quarters by traffic, and by connivance at the shifts I make) would have been taken from us; which might have produced so great and sudden inconvenience, as would have denied me the short time now left me most humbly to beg, and receive his majesty’s commands.” Cart. Orm. vol. iii.

and I must freely acknowledge, I do not apprehend where lies the difficulty of that work, or why men of judgment of the king's party in either kingdom, that desire or expect assistance from them, should be offended at it; and this I am very probably assured of, that if the repeal of these laws was now granted, a peace might be suddenly concluded, with the ready and sincere affections of the best of the whole nation, to hazard the uttermost of their lives and fortunes in his majesty's service." ^a

But to all such representations, counsels or commands, from whatever quarter they came, his excellency's constant answer was, ² "that the Irish privy-council would never agree to such concessions; and that it would be very dangerous, if possible, to make a peace without, or against the advice of that council; that the English and protestants in Ireland would certainly disobey it, if the council disallowed it; that he found by experience, that further than they saw his majesty's directions for it, they would not consent to any thing of favour to the Irish; and in short, that some of them were negative in things reasonable, and consented to by the king in England." ^b But how frivolous

² Cart. Orm. vol. iii. fol. 430.

^a "I am made to believe (says Ormond himself on this occasion) if they (the confederates) were secured against the penalties, and freed from the incapacities they are liable to, by reason of the penal statutes, no considerable party of them would oppose a peace for any of the other propositions; but without such security and freedom by act of parliament, it is professed by the most moderate of them that they will undergo any hazard, &c." Lett. to Lord Digby, Cart. Orm. vol. iii. fol. 428.

^b "Upon the whole matter (adds he) my opinion is, and in all duty, humility, and plainness, I offer it to your majesty's high wisdom, that in this particular (repeal of the penal laws) of all others, your majesty will not have the concurrence of the council, farther than by open and express command, they are made acquainted with your pleasure, if even then they may be persuaded to it." Cart. Orm. vol. iii. fol. 430. And elsewhere Ormond owned, "that his majesty's commands came again to be disputed at the council-board, and that there wanted not several at that board, noted both for affections and expressions tending to lessen his majesty's authority." Id. ib.

frivolous and inexcusable must this apology appear, when it is considered, that so long before as "December," 1644, his majesty had sent him a power to sequester from the council-board, such members of it, as he did not approve of." And certainly,^c if his excellency ever made use of that power, it was only by what now appears, in an exchange of bad counsellors for worse.

But in order to remove this, and all other pretended obstacles to the conclusion of the peace, the king in a letter of October 22d, 1645, told his excellency,^d "that if he could procure the concurrence of the council, it would be so much the better ; but that the Irish peace was of such absolute necessity, that no compliments or particular respects whatever must hinder it. Wherefore," adds his majesty, "I absolutely command you, and without reply, to execute the directions I sent you the 27th of February last ; giving you leave to get the approbation of the council so as, and no otherwise, that by seeking it you do not hazard the peace, or so much as an affront, by their foolish refusal to concur with you." But even this last peremptory command of his majesty proved equally ineffectual with all the former.^d

C H A P.

³ Cart. Orm. vol. i. fol. 522.

⁴ Id. ib. vol. iii. fol. 431.

^c "A power was at that time sent him, not only to sequester from the council-board disaffected persons, but also to remove and change the governors of counties, cities, castles, and forts, at his pleasure." Carte, ib.

^d The general opinion of the Irish was, "that his excellency would not conclude, before the year 1646, any peace with the confederates, though he had positive and pressing commands from the king to do it, but for three or four years delayed it, by unprofitable and suspicious cessations, in which time the king was subdued and imprisoned ; that he might afterwards pretend and plead that service (at least a neutrality) to the parliament, when they came to be masters of all : by these means the common sort of the Irish conceived such hatred against him (who was very popular before that time) that it could never be rooted out of their hearts, nor put out of their heads, but that he hated the royal family and his country ; this made his most loyal actions, if not successful, be looked upon as so many plots to ruin the king, and

C H A P. XVI.

Ormond treats privately with the Scots in Ulster.

STRANGE as this conduct of his excellency may appear to those who have been always taught to consider him as a mirror of loyalty to Charles I. even in his most depreſt and forlorn ſtate; their wonder will certainly increaſe, when they know, that he was all this while privately ſoliciting that king's greateſt enemies in Ireland, to join all their forces with his, in order to renew the war againſt thoſe confederate catholics, with whom he was, by his majeſty's reiterated commands, publicly negotiating a peace. This appears evidently from a ſecret correſpondence between his excellency and one Galbraith, a major in the Ulſter army, which had commenced and was carrying on^a ever ſince the month of January 1644. The marquis's ſecret propoſal of this new alliance, “was joyfully received by the chiefs of

^a Cart. Orm. vol. iii. fol. 432.

and the only ſubjects then capable of helping him, the Irith: from hence proceeded the towns reſuſing to receive his garriſons; from hence the diviſions and differences of the people and clergy; from hence the factions of Ormond and O’Nial, of old and new Irith; from hence the cenſures, and declaration of the biſhops at Jameſtown againſt his grace; from hence all other diſorders; of which (adds my author) Peter Walth and Dr. Enos are more guilty (on account of their having publiſhed libels on Ormond) than the biſhops or the common people.” *Friar Disciplined*, p. 68.

^a Ormond had received a letter on this ſubject from Galbraith, dated the 29th of January, 1644. See Cart. Orm. vol. iii. p. 385. Ormond begins this letter to Galbraith, with an apology for his not having answered it ſooner. “Your letter of the 29th of January (ſays he) hath been coming to me till this day (25th of February), which I tell you, left that not knowing the interruption it hath met with, you might judge me not ſo thankful unto you for your important and prudent advertiſements, as in truth I am, and ſhall be found to be, whenever it comes in my way, to make it appear to you,” *Id. ib. fol. 385.*

of both the Scotch and the English armies, in that province; and Monroe himself was ^b fully affected that way.¹ "This Monroe had just before received a commission from the English parliament, under their new broad seal, to command in chief all the English as well as Scotch forces in Ulster; and, in virtue of that commission, had taken Belfast by surprise, turned out his majesty's garrison, and replaced them with one from the parliament."^c

But, as these officers had, it seems, been told,² "that his excellency had an innate malice against the Scots in general, his friend Galbraith," in order to accelerate this new alliance, "advised him,⁴ to write a letter with his own hand, directed to Monroe now mentioned, in which he was to take notice, that he understood there were some evil instruments who laboured to possess all Scots, that he entertained an implacable prejudice against them; and that he sent that his just and necessary apology, to vindicate himself against such secret wounds; and that all of them might be persuaded of the sincerity of his affection for that nation, and of his endeavours to serve every of them with his best offices of friendship."^d

We

² Cart. Orm. vol. i.

³ Id. ib. Galbraith's Lett.

⁴ Id. ib.

^b Galbraith, in one of his letters to the Marquis of Ormond, on this occasion, says, "that he had met most of the officers of the old British, and found in all an earnest desire, that the war should be carried on, with the Marquis's allowance and concurrence; whereof, (adds he) when I gave them hopes as from the mouth of a confident of yours, they were overjoyed, and approved the cautions I shewed them." Cart. ib. vol. iii.

^c "He took Belfast, and seized upon his majesty's ordnance there, on the 14th of May, 1644." Cart. Orm. vol. iii. fol. 312.

At this time Capt. Swanley, before-mentioned, who commanded the parliament ships, that blocked up the harbour of Dublin, had formed a design to surprize that city, but that design being made known to the king, he gave the Marquis of Ormond notice of it." Warn. Irish Rebel. p. 330.

^d In a letter to the English parliament on this occasion, signed by

We have already observed, that his excellency had before this discovered a conspiracy, "whereby Drogheda first, and by consequence Dublin," was to be put into the power of those Scots, or at least, into the obedience of the English parliament." And it seems, this conspiracy was "concerted and carried on by some ill-affected persons, active in intelligence with Monroe." On that occasion, the marquis told Galbraith, "that by letters from Ulster, he found it was misunderstood, that all the Scots serving in Ireland, were in that conspiracy, or so far mistrusted, that they were under a great cloud of suspicion." But after having observed, how difficult it was to stop the mouths of the common people, he confidently affirmed, "that their nation had lost no jot of esteem or trust, in the more considerate sort, by it; and that it should be found, that no rigour, beyond necessity, in order to his preservation,

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vation;

* Cart. Orm. vol. i. fol. 385.

by their commissioners, Arthur Annelley, Robert King, and William Bale, from Belfast, November 19th 1645, we find that "Ormond desired but power and opportunity to break with the confederates, and to fall upon them, upon condition that the covenant should not be forced upon those under his command; offering for their security, that Drogheda should be given into their hands, they giving assurance that use should not be made of it against his lordship." Irish Cabinet, p. 36.

* In a letter to the archbishop of York, May 27th 1644, Ormond acquaints his grace with this treachery. "We are here (says he) threatened with an invasion of the Scots out of the North, who have treacherously surprized Belfast, and attempted other English garrisons." Cart. Collect. of Orig. Pap. vol. i. p. 48.

The conspirators' agreement with Monroe, was, "that they should seize the town, and plunder and turn out all the papists, and such as would not adhere to them; and that they would keep the entire command of the place to themselves. But that, if he would assist them with his forces, till they received succours from the parliament, he should have half the plate, jewels, money, and goods, of the papists, that were to be plundered, except bedding, corn, and other things necessary for the garrison. Monroe readily closed with this proposal." See Cart. Orm. vol. i. fol. 525.

vation, had been, or should be used." This shewed an apt disposition in his lordship, to follow his friend Galbraith's advice, to acquit himself to the Scots in the manner prescribed. Whether, or no, he actually did so; does not appear; but certain it is, that in all his letters to the king's friends, he expressed very different sentiments of these people from what are here recited; and, particularly, in one written to the king himself in January 1645, while this secret treaty was carrying on,⁵ he told his majesty,⁶ " that through an almost general defection in the northern army,⁷ Colonel Chichester was no longer able to serve him there."¹

On the other hand, he was frequently and positively assured by his noble friend Lord Clanrickard, that the loyalty of the confederate catholics was such, (at the very time that he was thus negotiating their ruin,⁷) " that if the impediments to the peace (the penal laws) were once removed, they would soon satisfy his excellency of their real, earnest desire, to be employed in his majesty's service; and that the difficulty would be rather to keep back the multitude of forward spirits that would press into that expedition."

C H A P.

⁵ Cart. Orm. vol. iii. fol. 442.

⁷ Id. ib. fol. 423.

² For Galbraith in a letter to Ormond of the 21st of the month of December, 1645, tells him, " that he has good hopes of a good issue (of the treaty) if Ormond can with patience brook the expence of a little time." Ib. fol. 436.

³ These officers and soldiers had all taken the covenant: and the marquis and council had before, on another occasion, told the British officers under his command in Ulster, " that the covenant was so full of treason, sedition and disloyalty, that no pressure whatsoever would prevail with them to blemish their former merits by taking of that oath, or permitting of others to take it." Cart. Orm. vol. i. fol. 491. They took it, however, soon after out of fear, as they pretended, of Monroe.

⁴ And so long before, as July 1644, he told Lord Digby, as we have already observed, " that he could not doubt, but that, when the Scots in Ulster were able, they would endeavour to be masters of all the harbours, and other places of consequence in the kingdom, on pretence of securing them against malignants and papists." Cart. Orm. vol. iii. fol. 327.

C H A P. XVII.

The Earl of Glamorgan arrives in Ireland.

THE king finding that the Marquis of Ormond would not conclude a peace with the confederate catholics, upon those equitable terms which he had so often ordered him to grant them, dispatched the Earl of Glamorgan to Ireland, with a private commission for that purpose ;^a a nobleman, whose zeal for his
Y 2 majesty's

^a " Among other patents and commissions signed by the king, and brought by the Earl of Glamorgan from England, there was one appointing him lord lieutenant of Ireland, upon the expiration of the Marquis of Ormond's term of holding that post, or in case the marquis should, by any fault, deserve to be removed from it." Enquiry into the Share King Charles I. had, &c. p. 253. from the Nuncio's Mem.

" The Marquis of Ormond had very early notice of the earl's intended voyage to Ireland, from his friend, Mr. Arthur Trevor, who in a letter from Bristol, April 9th, 1645, wrote to him, that he heard much of Lord Herbert's (Glamorgan's) commission; that, as he heard, the Marquis of Ormond was not taken notice of in it; that he was to pass into Ireland upon very important affairs, and that Sir Bryan O'Nial went into Ireland with him." Carte's Collect. of Orig. Lett. vol. i. p. 82. And the Marquis of Ormond himself in a letter to Lord Digby of the 8th of May following, says, " though I have no full knowledge of what Lord Herbert was to bring with him, yet, by his letter to me out of Wales, I guess his missing this place was a great misfortune to the king's service; even in relation to the credit I found the Irish were apt to give to his advices and undertakings." Carte's Orm. vol. iii. fol. 405.

" Glamorgan having embarked on board a small vessel was near being taken by a parliament ship, which pursued him, till he took refuge in a part of Cumberland, but before he left Wales he wrote the above letter to Ormond. He arrived at Dublin about the end of July or beginning of August, 1645, and was present at one of the meetings of the deputies of the confederate catholics with the Marquis of Ormond at Dublin. About the 7th of August he went to Kilkenny, in order to execute his commission for treating with the confederate catholics." Enquiry into

majesty's service could be exceeded by nothing, but his attachment to his religion, which was the Roman catholic.^b

Upon this earl's first arrival at Kilkenny, Lord Muskerry acquainted the Marquis of Ormond, from thence, with the business he came about, in general terms. To which his excellency answered, "that he knew no subject in England, upon whose favour and authority with his majesty, and real, and innate, nobility, he could better rely, than upon Lord Glamorgan's; nor any person whom he (Ormond) would more endeavour to serve, in those things, which that lord should undertake for his majesty's service." ^c

This

^a Cart. Orm. vol. iii.

into the Share which King Charles I. had with Glamorgan's Transactions with the Irish, p. 61.

^b "The Earl of Glamorgan had spent one hundred thousand pounds in raising, providing, and maintaining forces for the king, in the first year of the rebellion." Cart. Orm. vol. i. fol. 553.

^c In Ormond's letter to Lord Muskerry above quoted, there are these words: "I think it necessary that I should remind you, and in this way acquaint your lordship with that which I could not insist on in his lordship's (Glamorgan's) presence, without offending his modesty, and incurring the imputation of flattery. What I have to say in short is this, that I know no subject in England, upon whose favour and authority with his majesty, &c." Enquiry, &c. p. 63. from the Nuncio's Mem. My author adds, "this letter was afterwards delivered to the Nuncio, as a proof, that the Marquis of Ormond would support the agreement which had been or should be made between them and the Earl of Glamorgan; though the marquis afterwards disappointed their expectations." Id. ib. p. 65.

"If the particular instructions, or commissions granted to Glamorgan, (says Dr. Leland on occasion of this answer to Lord Muskerry) were not communicated to the lord lieutenant, it appears, at least, from this warmth of recommendation, that he considered the earl as a person duly authorized to treat with the Irish. The Irish considered Ormond as secretly disaffected, and in conjunction with the presbyterian council (as they called them,) determined to defeat the king's hopes of succour, by obstructing the Irish peace. To this they attributed every delay, and

This answer Lord Muskerry communicated to the general assembly, then sitting at Kilkenny; as an indication, that his excellency was disposed to support, or at least would not disavow any agreement they should make with Glamorgan. Upon which presumption, the assembly resolved to conclude a public peace, for civil matters, with the Marquis of Ormond, on his own terms; after they had made a private one with that earl, for matters of religion; which last they soon after did, about the latter end of August, 1645.

The government's determined opposition to a peace with the Irish, on any tolerable terms, made it absolutely necessary to keep this last transaction secret. But a copy of Glamorgan's treaty having been accidentally found,^d soon after its conclusion, it was transmitted to the English parliament, and by them made public. And Lord Digby, who was then in Dublin, fearing that the large concessions,^e in point of religion, which the confederate catholics had obtained by that peace, might alienate the affections of his majesty's protestant subjects in both kingdoms,^f did, in concert with

and when the seizure of the king's cabinet at Naseby, discovered his private instructions to Ormond to conclude a peace, whatever it might cost; they were enraged, and printed the letter with severe animadversions on the marquis." *Hist. of Irel.* vol. iii. p. 253.

"The confederates at Kilkenny taking advantage of the letter written by Ormond to Lord Muskerry, affected to consider it as a formal stipulation, on the part of the chief governor, to concur with the earl (Glamorgan) in all his transactions, and to ratify all his engagements." *Ib.* p. 254.

^d "In the pocket of Malachias O'Kelly, Titular Archbishop of Tuam, when he was killed near Sligo." *Carte's Orm.* vol. i. fol. 553.

^e "The confederates, for the present, had receded from the demand of an act of parliament for securing the possessions of the clergy, as difficult and prejudicial to his majesty." *Lel. Hist. of Irel.* vol. iii. p. 268.

^f Secretary Nicholas, in a letter to the Marquis of Ormond, from Oxford, on this occasion, says, "we are all here much amazed at the news of Lord Herbert's (Glamorgan's) imprudent action, to say no more of it; which hath most extremely prejudiced

with the lord lieutenant, summon the Earl of Glamorgan before the council; where they confidently accused him of having either forged, or surreptitiously obtained, his majesty's commission; upon which, on the 26th of December, that earl was committed close prisoner to the castle of Dublin.^c About the same time, the king was prevailed upon, publicly to disavow, in a message to both houses of the English parliament, Glamorgan's commission, and thereby made void the peace, lately concluded with the confederate catholics, in virtue of it.^b

In

prejudiced his majesty, and his affairs here." Carte's *Orm.* vol. iii. fol. 447.

* "When Glamorgan's imprisonment was known to the confederates at Kilkenny, that event put them into a terrible consternation. Some cried out to arms, and were immediately for besieging Dublin, to set him free. The council laboured to cool the flame, but were forced to submit to the calling of a new assembly in an inconvenient time. They wrote to the lord lieutenant, pressing Glamorgan's release, as absolutely necessary for the relief of Chester, then besieged, and in great distress; for which service three thousand men were ready to embark, and nothing wanting but the ships, for which Glamorgan had contracted, to transport them. That all was at a stand by his imprisonment; and neither that expedition, nor the treaty of peace (with Ormond) could go on, till he was at liberty." Carte's *Orm.* vol. i. fol. 562.

But, it seems, Chester was lost by the delay of sending these three thousand Irish to its relief, occasioned by Glamorgan's imprisonment; for Sir Edward Walker informs us, "that had not the designed relief from Ireland been stopt, by the accusation and imprisonment of the Earl of Glamorgan, that place had not so soon fallen into the rebels hands; and might possibly have been the basis of a new fortune to his majesty." *Hist. Discours.* fol. 151.

"Ormond then in Dublin, under pretence of treating, drew Glamorgan thither, and made him a prisoner." *Borl. Hist. of the Irish Reb.* f. 251.

^b "His majesty's message to the (English) parliament, disavowing Glamorgan's treaty with the confederates, was on the 29th of January, 1645-6." *Enq. into the Share, &c.* p. 187.

"Nor could Ormond seriously believe," says Dr. Leland, "that the king was incapable of granting such a commission as Glamorgan

In what light we are to consider his majesty's public disavowal of Glamorgan's commission, may, I think, partly be gathered from his dispatch to the lord lieutenant and council of Ireland on that occasion; wherein, among other things, he says,² "the truth is, that the pressing condition of my affairs, obliging me to procure a peace in Ireland, if it might be had on any terms safe to my honour and conscience, and to my protestant subjects there; and finding also that the said peace could not be gained but by some such indulgence to the Roman catholics, in point of freeing them from the penalties imposed upon the exercise of their religion, as although justly and duly I might grant, yet haply, in a public transaction, could not be without some scandal to such of my good subjects as might be apt to be wrought upon by their arts, who did continually watch all opportunities to blast the integrity of my actions; I thought fit, over and above my public power, to assure the said Roman catholics, in a less public way, of the said exemptions from the penalties of the laws; and of some such other graces as might, without blemish to my honour and conscience,

² Carte, ubi supra.

Glamorgan pleaded, or of ratifying his transactions with the Irish, when he considered the extent of those powers, he himself had received from his majesty." *Hist. of Ireland*, vol. iii. p. 268. "The articles of his (Glamorgan's) treaty scarcely amounted to any thing more, than Ormond himself had been empowered to grant. Yet to allay the public ferment, Glamorgan was committed to custody, and the next day examined before a committee of the council." *Id. ib.* p. 270.

Sir Edward Hyde, in a letter to Secretary Nicholas, dated 1646-7, says, "I care not how little I say in that business of Ireland, since those strange powers and instructions given to your favourite Glamorgan, which appear to me inexcusable to justice, piety and prudence." *Chanc. Clarendon's State Papers*, vol. ii. p. 337. from *Graing. Biogr. Hist.* vol. iii. p. 19.

This discovery of Glamorgan's peace, "coming to my lord lieutenant's knowledge, the Earl of Worcester, ignorant of the matter, was by letters invited to Dublin, where, accused by my Lord Digby, the king's principal secretary, he was made prisoner in the castle of Dublin." *Leyburne's Mem.* Pref. p. xi.

conscience, and without prejudice to my protestant subjects, be afforded them.¹ With the knowledge of these secret instructions to the Marquis of Ormond, I thought fit to acquaint the Earl of Glamorgan, at his going to Ireland; being confident of his hearty affection to my service; and withal, knowing his interest with the Roman catholic party to be very considerable, I thought it not unlikely, that the Marquis of Ormond might make good use of him, by employing that interest, in persuading them to moderation, and to rest satisfied upon his (Glamorgan's) engagement also, with those above-mentioned concessions; of which, in the present condition of affairs, Ormond could give them no other but a private assurance; and to that end, it was possible, I might have thought to give unto the said Earl of Glamorgan such a credential, as might give him credit with the Roman catholics, in case Ormond should find occasion to make use of him, either as a further assurance of what he (Ormond) should privately promise; or, in case he should judge it necessary to manage these matters, for the greater confidence, a part by him (Glamorgan) of whom, in regard of his religion and interest, they might be less jealous."^k

Although this letter to the lord lieutenant and council, is dated January 31st, 1645-6, wherein he orders, "that the charge begun against the Earl of Glamorgan be thoroughly and diligently prosecuted:" yet in a private letter written to the lord lieutenant the day before,

¹ Here is a plain confession, that he gave these secret instructions to the Marquis of Ormond (to grant a repeal of the penal laws), and that Glamorgan treated with the confederates on that assurance from the king.

^k "At the very time of the king's public letter to the lord lieutenant and council, ordering, among other things, Lord Digby's charge against Glamorgan should be thoroughly and diligently prosecuted; he by another letter to the Marquis of Ormond, privately directed, that the execution of any sentence against him should be suspended. And he still contrived to convey secretly to Glamorgan, repeated assurances of his confidence and friendship." *Let. Hist. of Irel.* vol. iii. p. 274.

before, viz. January 30th, he commands him to suspend the execution of any sentence against the earl, until, says he, you inform me fully of all the proceedings; for I believe it was his misguided zeal, more than any malice, which brought this great misfortune on him and us all.”¹

C H A P. XVIII.

Glamorgan now freed from his confinement, treats with the Nuncio Renuccini; Ormond's opinion of that proceeding.

“ON the 30th of the same month of December, the Earl of Glamorgan, having sent to the lord lieutenant the original counterpart^a of the articles of his peace with the confederate catholics, was set free from his close confinement, but still remained a prisoner in the castle, having only the liberty of the house, until his majesty's further pleasure was known. And shortly after, his lordship was enlarged, upon his own recognizance of twenty thousand pounds, and that of the Earl of Kildare,² and the Marquis of Clanrickard, of ten thousand pounds each, to appear on thirty days notice. Soon after his enlargement he went to Kilkenny, where he shewed the utmost zeal³ to bring the confederate catholics to agree to the terms of peace offered by the Marquis

¹ Enquiry into the Share K. Charles had, &c. p. 273.

² Cart. Orm. vol. iii. f. 562. ³ Id. ib. ⁴ Id. ib.

^a “We find that his lordship (Glamorgan) produced the original warrant of the 12th of January, 1644-5 (by which he was authorised by the king to treat with the confederates in the manner he did), to the Marquis of Ormond, on the 6th of January, 1645-6, and next day sent the marquis a copy of it, written with his own hand, and attested with his name; which copy the marquis sent to the king.” Cart. Orm. vol. i. fol. 554.

“But Mr. Carte does not inform us what answer his majesty gave concerning it.” Enquiry into the Share, &c. p. 332.

Marquis of Ormond, the defects of which, in the articles of religion, were to be supplied by himself."

The Nuncio Renuccini, who some short time before had arrived from Rome,^b and had gained considerable influence on the Irish soldiery, the common people, and even on the general assembly, was then at Kilkenny. With him the Earl of Glamorgan had chiefly negociated, when he wrote to the Marquis of Ormond from thence,^c "that since the high post his excellency held, and the difference of religion, would not permit him to engage openly, he was of opinion, it would not be improper to delegate that office to others, to whom if he would join himself, he doubted not, but in a few days, and even hours, he should obtain whatever should be thought reasonable and honourable."

In answer to this letter, his excellency told him,^c "that his affections and interests were so tied to his majesty's cause, that it would be madness in him to disgust any man, that had power and inclination to relieve his majesty, and the sad condition he was in; and therefore, that his lordship might securely go on, in the way he proposed to himself, to serve the king, without fear of interruption from him, or so much as enquiring into the means he worked by." Such encouragement

^a Cart. ib. Nunc. Mem. f. 1071. See Enquiry, &c. p. 159.

^b Cart. Orm. vol. iii. f. 448.

^c Lord Castlehaven tells us, that "coming near the coast, he was chased by a parliament frigate, commanded by one Plunket; and that, as he was ready to lay him on board, to the great misfortune of the confederate catholics, Plunket's frigate took fire, to quench which, he was forced to lie by, and in the mean time the Nuncio got to shore." *Memoirs*.

"John Baptist Renuccini, Archbishop and Prince of Fermo, arrived at the river of Kilmare, in a frigate of twenty-one pieces, and twenty-six Italians of his retinue, besides divers regular and secular priests, on the 22d of October 1645." *Borl. Hist. of the Irish Rebel*. fol. 206.

^c "This answer of the Marquis of Ormond seems inconsistent with a real persuasion, that Glamorgan was not duly authorised to treat with the confederates." *Lel. Hist. of Irel.* vol. iii. p. 276.

couragement to proceed in his treaty with a person who thought he could not make too high demands in the article of religion, is surely a sufficient proof that his excellency was, by this time at least, convinced that Glamorgan's commission was not either forged or surreptitiously obtained.

But lest any doubt should remain on that head, I shall produce part of two letters from his majesty to that earl, which clearly demonstrate the reality of his commission, and which are still to be seen in the British museum, in his majesty's own hand-writing.⁶ In the first of these letters, which is dated February 3d, 1645-6, a solicitude is plainly expressed, lest resentment of the ill usage that had been given to his lordship, should provoke him to discover the whole secret. "In a word," says his majesty, "I have commanded as much favour to be shewn to you, as may possibly stand with my service or safety; and if you will yet trust my advice, which I have commanded Digby to give you freely, I will bring you so off that you may be still useful to me, and I shall be able to recompence you for your affection. If not, I cannot tell you what to say; but I will not doubt your compliance, since it so highly concerns the good of all my crowns, my own particular, and to make me have still means to shew myself your assured friend,

CHARLES R."

The other letter is dated the 28th of the same month, when his majesty knew that the earl either was, or would soon be, at liberty; and was sent by Sir John Winter, his lordship's cousin-german, and a Roman catholic.

"HERBERT,

"I am confident, that this honest, trusty bearer will give you good satisfaction, why I have not, in every thing, done as you desired. The want of confidence in you being so far from being the cause thereof, that
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⁶ See Warner's History of the Irish Rebel.

I am every day more and more confirmed in the trust that I have of you. For believe me, it is not in the power of any, to make you suffer in my opinion by ill offices. But of this, and divers other things, I have given Sir John Winter so full instructions, that I will say no more, but that I am your most assured friend,^d

CHARLES R."

And on the 5th of April, 1646, his majesty wrote to him as follows :

" GLAMORGAN,

" I neither have time to spare, nor do you desire that I should repeat to you, unnecessarily, those things which I have so often said to you. I refer you, therefore, to Digby, for what is to be done ; and assure you of my constant friendship for you, which I think the more necessary in this universal defection of every body. But however that be, I am persuaded that you cannot doubt, but that I will perform all the instructions and promises made to you and the Nuncio."⁷

In another letter of the 20th of July following, from Newcastle, he bids Glamorgan tell the Nuncio, " that if once he could come into his and the Nuncio's hands, which ought to be extremely wished for by them both, as well for the sake of England as of Ireland, since all the rest, as he saw, despised him, he would do it." After which he immediately adds, " and if I do not say this from my heart, or if in any future time I fail you in this, may God never restore me to my kingdoms in this world, nor give me eternal happiness in the next ; to which, I hope,

⁷ Enquiry into the Share, &c. p. 243-4.

^d " That Glamorgan did still enjoy the royal favour and confidence in a very high degree, there is direct and positive proof in those letters extant among the Harleian manuscripts, in which Charles assures him of the continuance of his friendship, and promises to make good all his instructions to him and the Nuncio." *Irel. Hist. of Ir.* vol. iii. p. 285. note.

I hope, this tribulation will conduct me at last, after I have satisfied my obligations to my friends, to none of whom I am so much obliged as to yourself, whose merits towards me exceed all expressions that can be used by your constant friend,

CHARLES R.^{ms}

I shall add nothing more on this subject, but that we find in the Nuncio's Memoirs, "that" the Earl of Glamorgan left with the confederate catholics the original of his commission to treat with them, in his majesty's own hand."

C H A P. XIX.

Peace concluded with the Marquis of Ormond.

THE imprisonment of the Earl of Glamorgan, and the king's disavowal of his commission, were two incidents that greatly favoured Renuccini's designs. That prelate had brought to the confederate catholics large supplies, with promises of further assistance.* "His entrance into Kilkenny on horseback under a canopy, was as solemn and magnificent as both clergy and laity could make it. When he came to the place where the council sat, he was placed in a chair not far from Lord Viscount Mountgarret, president of the council. After some pause, he presented the pope's brief to the president; which being publicly read, he made an oration

* Enquiry into the Share, &c. p. 245. from the Nunc. Mem. and Vittorio Siri's Mercurio.

† Enquiry, &c. p. 107. ‡ Belling's MSS.

§ In his speech to the assembly, he told them, "that he had brought four frigates, arms for four thousand men, and as much money as would enable him to take upon himself the maintenance of the war in one province; with hope of further help from the Pope." Vindic. Cath. in Hib. p. 29.

oration to the assembly, and concluded it with letting them know three things, which were principally given him in command by his holiness. The first was, to endeavour the propagation of the catholic religion, the second to conserve the catholics in union among themselves, and the third, to cherish in them the allegiance due to their lawful sovereign. He could not," adds my author,^a who was present, "have ended his discourse more to the satisfaction of all that heard him, than by mentioning the subjects duty towards their king, and his having it in charge to cherish it. For it was collected from thence, that he was willing they should bury the memory of their past sufferings in the blessings of an happy peace. But in the sequel, we shall find how little conformity there was between his proceedings and his professions."

At this time, however, he was held in the highest esteem and veneration, by the confederate catholics; and as their hopes of obtaining liberty of conscience, which were all centered in Glamorgan's peace,^b were now at an end, by the king's disavowal of it, they readily accepted the Nuncio's offers, of what he then called

^a Belling's MSS.

^b His majesty's message of the 29th of January to the parliament, disowning the Earl of Glamorgan's treaty with the confederates of the 25th of August, 1645, "being brought to Kilkenny in March following, struck the confederates there with surprize and consternation, finding all their pains and expence of time and treasure thrown away, and themselves exposed to the resentments of their enemies, both of England and Scotland, if they should make peace (with Ormond) in the present circumstances." Enquiry into the Share, &c. p. 187.

"The supreme council having maintained the troops (three thousand) to be sent to the relief of Chester, at the expence of the kingdom, in the port of Waterford, several weeks after the surrender of Chester, and the receipt of the king's message to the parliament, disowning the Earl of Glamorgan's treaty; and finding no ships furnished by the king, nor the Marquis of Ormond, nor the Earl, for embarking the troops, nor any prospect of being supplied with such ships, they published a resolution against sending those troops into England," of which Glamorgan complained. *Id. ib.* p. 191.

called aid and protection, but what was soon after deemed dominion and control. That this acceptance was a matter rather of necessity than choice, appears from their conduct towards a former agent from Rome, in which they shewed little inclination to submit their temporal concerns to a spiritual superintendency. For when, soon after the cessation was concluded, Petrus Franciscus Scarampi,^c sent upon the same business by Pope Urban VIII.³ “came to Limerick, attended by some twenty horse, the gates were shut against him, and a compliment sent him by the magistrates, that they were sorry he had undertaken so tedious and troublesome a journey at so unseasonable a time, when all the city were busily employed in matters of great consequence, in chusing of magistrates for the ensuing year, and in applotting their first payment of the thirty thousand pounds with which, upon the cessation, they had agreed to supply his majesty’s army, on which account, they could not give him fit attendance; but they offered to lodge him a mile off the city, and to let him know the next day their resolution concerning his admittance. But the agent replied, that if they were not at leisure to receive him then, he would not attend their leisure the next day, and so went away.”^d

But

³ Clanrick. letter to Orm. Mem. Engl. ed. Cart. Orm. vol. iii.

^c “He arrived about the middle of July at Kilkenny, with large supplies of money and ammunition.” Carte’s Orm. vol. i. f. 447.

^d Lord Orrery, in his answer to Peter Walshe, cites a bull of Pope Urban VIII. dated the 28th of May, 1643, (the year Scarampi was in Ireland), encouraging and exciting the confederates by pardons, indulgences, &c. to continue the war against the king’s forces, as a proof of the dangerous influence which Popes have had, in such cases, on Roman catholic subjects living under protestant governments. Walshe, with good reason, suspects this bull to have been forged, as he could not find, upon enquiry, that the original was ever seen by any one. But, even supposing it real and genuine, it proves the direct contrary of what his lordship has produced it for, as it did not
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But the confederates soon after growing weary of Renuccini's control, and being assured besides, that the king would, when he had it in his power, make good his engagements to them by Glamorgan, privately resolved to conclude the peace with the Marquis of Ormond, which related chiefly to civil matters, on his own terms; in order to enable his majesty, by sending him powerful supplies, to renew and confirm Glamorgan's treaty with them, concerning matters of religion. "But⁴ although the Nuncio was extremely averse to Ormond's peace, as containing no satisfactory concessions in spirituals; yet he was far from desiring that the promised supplies should be withheld from his majesty." The method he proposed was, "that the cessation⁵ should be still continued, and assistance sent to the king in the same manner as if the peace had been concluded."⁶

Pursuant to the above resolution, the general assembly which met on the 6th of March, 1645-6,⁶ dispatched Lord Muskerry, and other commissioners, to Dublin, to conclude the peace with the Marquis of Ormond; and accordingly it was there concluded on the 28th of the same month.^f

At the same time, with the articles of peace, was signed a conditional obligation or defeasance,⁷ "whereby the confederates engaged to transport ten thousand foot into England or Wales, well armed and provided,

⁴ Carte's Ormond, vol. i.

⁵ Id. ib.

⁶ Id. ib.

⁷ Id. ib.

in the least hinder or retard the treaty of cessation, which the confederates cheerfully concluded with the Marquis of Ormond, in September following, although they very well knew the great wants and distresses of his majesty's army at that juncture, while their own was in good condition, and enjoyed great plenty.

^e The Nuncio, though he opposed Ormond's peace, yet exhorted the confederates, in the mean time, to prolong the cessation, and to send their forces for the relief of Chester." *Lel. ubi supra*, p. 275.

^f "The Nuncio knew nothing of this transaction till May following." *Enquiry into the Share, &c.* p. 196.

ed, by April the 1st; and four thousand more by May 1st following; to be mustered, viewed, and allowed by such persons as the Marquis of Ormond should appoint. And in case the said forces were not sent at the times appointed (unless hindered by the blocking up of harbours, contrary winds, or other reasonable cause, to be allowed as such by the Marquis of Ormond), these articles were to be of no effect, and each party disengaged, as if they never had been agreed upon."

C H A P. XX.

The conclusion of the peace too long deferred.

THUS was the peace at length concluded; but too late for the principal end of it, his majesty's assistance in England or Wales. For the English rebels were by this time grown so powerful in all those places where the supplies from Ireland might propose to land, that there was not a secure spot left for their descent, nor any horse on that side to countenance their landing, nor even a safe retreat for them after they were landed; so that to send them away, as matters then stood with the king, would be only exposing so many men to inevitable destruction.¹ "The supreme council of the confederate catholics, however, immediately issued warrants,² to have four thousand men drawn

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¹ Id. ib. Belling's MSS. ² Id.

¹ Lord Digby, in a letter from Kilkenny to the Marquis of Ormond, April 3d, 1646, assured him, "that the supreme council of the confederate catholics undertook, with great cheafulness, to furnish his lordship with all he desired, and in the way he desired; but that the men and officers were daunted, as apprehending themselves sent to sacrifice, unless there might be some more certainty of a secure landing-place for them, on the other side; wherein," adds his lordship, "as we have reason to believe things stand on the other side, I cannot say but they have reason." Carte's Orm. vol. iii. fol. 456.

out of the standing forces of Leinster and Munster, and two thousand more from the other provinces; prefixing a day for their being at Ballyhafke and Passage, places commodious for their embarkation. And they gave out commissions for levying the remaining four thousand, which were to be transported in a second mission; having laid embargoes on all vessels in the river of Waterford, and in the harbours of Wexford and Dungarvan. And as no industry," proceeds Mr. Belling, "was omitted on their part, so there was not any occasion, since the beginning of the war, wherein the council found more prompt obedience to their commands, or more hearty willingness in the people, to bear any charge that might conduce to the advancement of it."

But the king himself, on account of the unhappy situation of his affairs, in the places now mentioned, thought fit to countermand this embarkation. For, in a letter to the Marquis of Ormond, March 26th, (two days before the conclusion of the peace) he told him,³ "that his condition was then very sad and low, by the late disbanding of his army in the west; which," adds his majesty, "if succours of foot had arrived in time out of Ireland, might have been prevented, to our most certain advantage. That he thought fit to advertise him thereof, that he might stop the sending over foot, which would be lost, if they should come, he having no horse, nor ports in his power to secure them." And in another letter to Lord Digby, of the same date, which he desired him to communicate to Ormond, he says,⁴ "forces from Ireland, unless they were much greater than, he believed, could be sent him from thence, would do him more harm than good; yet that he much desired that the peace there was made. But that Ormond should stop any forces from coming over, and employ them for the reducing of that kingdom into a perfect obedience; by which," says he, "it is possible, it may please

³ Carte's Orm. vol. iii. f. 451.

⁴ Id. ib. 452.

please God to restore me to the other two ; or be a safe retreat for myself." ^b

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^b It plainly appears that Ormond had received from the king this letter of the 26th of March, before the 26th of April, 1646, when he was actually treating with the parliament commissioners, from the following passage in his letter to Lord Digby of that date : " My Lord Byron is in great distress and hazard (in Wales), and though the king seems to forbid the sending of men thither, yet if I can get them seasonably sent, I will venture at it." Carte's *Orm.* vol. iii. f. 461. And before that, on the 7th of the same month, he wrote to Lord Digby, " that although the time for sending of the (Irish) supplies was elapsed, for want of shipping, yet he was confident the men had been, and were still ready." *Id.* ib. f. 459. Yet he afterwards, to evade the proclaiming of the peace, which the confederates pressed him to, alleged their not having sent off these supplies, as a breach of their engagement, as we shall just now see.

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B O O K VII.

C H A P. I.

The confederates still press the Marquis of Ormond to take the command of their forces upon him against the violaters of the cessation.

THE Marquis of Ormond still continued the cessation with the confederate catholics, as a measure absolutely necessary for the subsistence of his army; and the confederate catholics, in hopes that the peace would be soon proclaimed,^a patiently bore that army's frequent breaches of it. But these breaches now became

^a "It was privately affirmed to me with some confidence," says the Earl of Clanrickard, in a letter to Ormond, May 11th, 1646, "that upon your lordship's publication of the peace, the generality of the whole kingdom would declare themselves to be solely and entirely under your lordship's government." Carte's Orm. vol. iii. fol. 466.

came so very grievous and extensive, especially in Ulster, that the supreme council renewed their intreaties to his excellency, "to unite his forces with theirs," in order to resist the attempts of the Scots of Tyrconnel, and other parts of Ulster, his majesty's now open and avowed enemies; and so to manage the war, that the service might not suffer, through the want of due correspondence, for the little time the entire settlement of the kingdom was suspended. They informed him, that they had received intelligence that Monroe, with a numerous army, was going to fall upon Newry, Dundalk, and other maritime towns within his excellency's quarters; and that the Scots of Tyrconnel were gathering in a body of three thousand foot, and five hundred horse, to invade Connaught, where they were sure to be joined by Sir Charles Coote's forces." They added, "that if his excellency would agree, that they might, on all sides, fight to clear the kingdom of the common enemy," their councils in civil and military matters should be managed by his advice. And the council having understood, that the want of money to prepare for the field, was what chiefly retarded this conjunction, they promised to send his excellency
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^a Belling's MSS. Carte.

It appears from Lord Digby's public declaration soon after in the privy council of Ireland, "that his majesty had redoubled his positive orders to the Marquis of Ormond, both immediately before his coming from Oxford, and since his being at New-castle, for the immediate perfecting of the peace in Ireland, according to the articles agreed on. Upon his dispensation with the condition also of the confederate Roman catholics of Ireland sending the men undertaken for by them; and this his lordship (Digby) was commanded to attend his majesty's service in Ireland, upon his majesty's confident supposition that the peace already agreed upon, would have been proclaimed before his arrival there." Cart. Orm. vol. iii. fol. 491.

^b "It is true," says Lord Digby, in a letter to Ormond on this occasion, "that his majesty did promise, that you should join with them (the confederates) against the Scots, when a peace or cessation should be concluded." Ib. fol. 346.

three thousand pounds;² two thousand of which they soon after sent him.”^c

On the conclusion of the peace, “ promises of mutual assistance,³ (in case either of their quarters were attacked before the time appointed for the publication of the articles) had passed between the confederates and the lord lieutenant, who promised to engage in actual service, where it was necessary; and, as he should find himself enabled, would further prosecute those that should not submit to the peace, as enemies and rebels to his majesty, in such a way, as he should judge most for his majesty’s service.” But he now told them, in answer to their above-mentioned solicitations, “ that,⁴ indeed, he understood very well the necessity of an union; but that he might not join with any party, not deriving authority from his majesty, that nothing further could be done towards a union, till the articles of peace were published, about which he had not received his majesty’s pleasure, nor had they performed the engagements made at signing them.”

The chief of these engagements was, as we have seen, the sending of ten thousand of the confederates forces to the king’s assistance in England or Wales; which was, on many accounts, impracticable, precisely within the time stipulated by the articles.^d If his excellency

² Belling’s MSS. Cart. Orm. vol. i. fol. 567.

³ Cart. ib.

⁴ Ib. fol. 571.

^c Mr. Carte testifies, “ that the confederates kept their word in supplying the Marquis of Ormond (at this juncture) with three thousand pounds, for the relief of his forces in Dublin. And they very readily furnished the Lord Digby with three hundred men, under Milo Power, and other commanders named by his lordship, for the defence of the Prince of Wales, who had retired to Scilly, upon the reduction of the west by the parliament. Carte’s Ormond, vol. i. f. 567.

^d Besides, as the Marquis himself afterwards owned, “ the failure of the confederates, with respect to that condition, was, by an instrument signed by himself, and drawn up by the commissioners of the confederate catholics, dispensed with; he being

excellency had not yet received his majesty's order^a of the 26th of March before-mentioned, for stopping these forces, he certainly could be no stranger to the reasons which induced him to send it. With these reasons Lord Digby had acquainted him,^f five or six days after the conclusion of the peace; and the Marquis of Ormond himself, four days after that,^g informed the king, "that he had sent to Lord Byron,^h to know the state of North Wales, and whether three thousand men, for whom there was shipping, might be useful, and safely disposed of there. And that although the time for sending of the supplies was elapsed, for want of shipping, yet he was confident the men had been, and were still ready." And Lord Digby, at the same time, assured the marquis,ⁱ "that he found in these men, such an universal, not only disposition, but passion, to be under his excellency's government, that he thought it would be impossible for any to hinder them from it, almost upon any terms."

C H A P.

^a Id. ib. vol. iii. fol. 459.^b Id. ib.

ing thereunto authorized by his majesty." Carte's Orm. vol. iii. fol. 540.

^c He received it April 25th, 1646. Id. vol. i. fol. 567. & vol. iii. fol. 540.

^f April 3d, 1646.

^g April 7th. Id. vol. iii. f. 449.

C H A P. II.

Lord Clanrickard expostulates with the Marquis of Ormond, on his refusal to join the confederates, and to proclaim Sir Charles Coote a rebel.

HIS excellency's justly admired friend, the Earl of Clanrickard, once more acquainted him, about this time, "that ' he was privately importuned to second the speedy publication of the peace, with his humble addresses and persuasions to his lordship; that he was himself of opinion, that if some such course was not soon taken, the kingdom would be suddenly and totally ruined; that all access to his majesty, to know his further pleasure, or to give him a right information of the state of his affairs, was then made impossible; that the confederates, in order to effect what was required of them, had provided shipping for transportation, and drawn a considerable body of men to the sea-side, whether to the just number, was, he thought, too nice a scrutiny in them distracted times; that it then appeared, there was no army of the king's to join with them near those places, to which they were to guide their course; nor any harbour left to secure their landing; and that their going would only be the destruction of so many men, and nothing of assistance or preservation to his majesty."

All this while hostilities were daily committed on the confederates, by the parliamentary forces in Ulster and other parts; and even by those of his majesty's army, in breach of the cessation. Lord Clanrickard himself had been frequently assaulted by Sir Charles Coote, within the limits of his government, without being able to obtain redress from the lord lieutenant and council. In a letter to his excellency, on that occasion, he told him,² "that it did somewhat disturb and perplex

¹ Cart. Orm. vol. iii. fol. 46g.

² Id. ib. fol. 463.

plex his thoughts, to observe those, whom he conceived himself bound in duty to oppose, having all, or most of them, taken the covenant, assumed power and government, contrary to his majesty's authority, and quite opposite to his royal grants to others, constant violators of the cessation, and frequent invaders of his and his adherents estates; and if he was not much mistaken, such as rather expected submission from their sovereign, than shewed any inclination to submit to him, did still seem to be accounted loyal subjects, and within the compass of obedience to his excellency's government: and that by implication, the breach of the cessation did seem to be allowed them; at least, not corrected." After which, his lordship proceeds to say, with a spirit suitable to his great integrity, and honour, "being now reduced into the condition I am, give me leave to call upon your excellency and the state,³ even in the king's behalf, and for justice sake, that Sir Charles Coote, who commands in chief the forces here, under the title of lord president of Connaught, may be forthwith declared and proclaimed a rebel and a traitor, according to his deserts, and all such as hereafter assist, or adhere unto him; for the matter hath now proceeded so far, as certainly these attributes must be fixed either upon him or me; pardon me, if I should further affirm, upon your excellency."

But with neither of these just requests of his truly noble friend; could the Marquis of Ormond be persuaded to comply; ³ not with that for proclaiming the peace, because, as he pretended,⁴ "having received intelligence, that the king was gone to the Scots army, he conceived that change of things there might occasion some alteration in his resolutions, as to the manner he should propose for his majesty's service, and the settlement of the kingdom." But as his excellency had been apprised long before by Lord Digby, Secretary Nicholas,

³ Cart. Orm. vol. iii. fol. 463.

⁴ Id. ib. fol. 468.

⁵ No wonder, since Ormond himself confessed in a letter to Lord Digby of the 26th of April immediately preceding, "that he was then in treaty with the parliament commissioners." Cart. Orm. vol. iii. fol. 461.

Nicholas, and by the king himself,' " that the Scots were the greatest opposers of the Irish peace, having all along entertained hopes that Ireland should be given up to them," what else could he have expected from "that change of things," but that they would compel his majesty, as they soon after did, to send him positive orders to forbear all further proceedings in it? And what further demonstrates the weakness and insincerity of that excuse is, that his excellency was, at the same time,^b " well satisfied," as Lord Clanrickard told him,⁶ " that the king was still desirous of the peace, though he failed of the supplies at the time appointed."

As for his proclaiming Sir Charles Coote and his adherents traitors and rebels, his excellency would not venture to do it, without the consent of the council,⁷ " by whose advice he affected to be guided throughout, in carrying on the work of peace;" though Lord Digby had before informed him, " that the king understood, and did promise that his excellency should join his forces with those of the confederates, when a peace or cessation should be concluded, against all those who violated or opposed either." But his excellency knew that the majority of that council were Sir Charles Coote's real, though secret adherents; and therefore could not expect, that they would consent to an act implicitly condemning themselves.

C H A P.

⁵ Cart. Orm. vol. iii. Collect. of Orm. Orig. Papers.

⁶ Cart. Orm. vol. iii. fol. 474.

⁷ Id. ib.

^b That he was then satisfied that the king was still desirous, that the peace with the confederates should be concluded, appears from Ormond's having received his majesty's letter, wherein he expresses that desire, on the 25th of April, 1646. Cart. Orm. vol. i. fol. 567. And Clanrickard's letter to him, telling him that his excellency was satisfied that such was his majesty's desire, is dated the 3d of June following. Id. ib. vol. iii.

C H A P. III.

The king is prevailed on by the Scots to forbid Ormond to proceed in the peace with the confederates.

THE Scottish army having, by many deceitful promises, gotten the king into their hands, kept him under the closest, and most irksome restraint. Lord Digby in a letter from Paris, June 17th, 1646, told the Marquis of Ormond,¹ “that the Scots were likely to make use of the king’s person, only to force him to what they aimed at with the parliament; inasmuch, that he was to consider his majesty among them, in shew and formality, treated as a king, but really worse than a prisoner; for that besides the guards about him, and strict observation of his person, he had no kind of liberty of mind, as all power of expressing any thing but what they would have him, was taken away; not a person being permitted about him, by whom he could either receive, or transmit any thing to or from those whom he would have to know his mind. This only,” adds his lordship, “we have had the happiness to know from him, when he foresaw the condition he was likely to be in, that he desired that the prince his son, the queen, and all his faithful servants, should jointly govern themselves according to what they should judge to be the true interests of his crown and posterity; and not according to what, from his forced condition might outwardly be made appear as his pleasure. And I am confident,” proceeds his lordship, “if there be a possibility of conveying any thing of secret to you, your lordship will receive his express pleasure to this effect.”

After this, as if he dreaded an event which, though unknown to him, had then recently happened, he adds,² “my greatest fear is, lest before my return to you, the king should have been forced by the Scots to set an embargo upon the peace of Ireland; but though he have,

¹ Cart. Orm. vol. iii.

² Id. ib.

have, I hope you will be able to keep things fair till I come; and that then, having received such further assurances, as I shall be able to give you, of the king's condition, of the queen and prince's resolutions, and of the grounds laid to carry them through, no such embargo will be any hindrance to you, to pursue vigorously that course, which you shall judge prudent, just, and honourable."

If the Marquis of Ormond did not receive this letter on the 24th of that month, when the king's order, forbidding him to proceed in the peace,³ arrived; (which might, I own, have been the case) yet he certainly knew from his own recent experience, that his majesty was then in the condition of a prisoner with the Scots, and not suffered to send to or receive from his friends any dispatches, but such as they had both seen and approved. For his excellency and the council, having some time before,⁴ twice demanded a safe-conduct from Major General Monroe, for one of their messengers, who was to pass by way of Scotland, with letters to the king, they were both times peremptorily refused. This refusal was given about the 7th of June, and on the 11th of the same month, the Scots in England compelled his majesty to sign an order to the Marquis of Ormond, to forbear all further proceedings in the peace with the confederates:⁵ which order was transmitted

³ Cart. Orm.

⁴ Id. ib. vol. iii. fol. 480.

⁵ If there was nothing else but a former letter from the king to Ormond of January 9th 1644, to convince him that his majesty's order of the 11th of June was extorted, the contents of that letter were more than sufficient for the purpose; for there he told him, that "the rebels in England had agreed to treat; and that most assuredly one of the first and chiefest articles they would insist on would be to continue the Irish war, which was a point not popular for him to break on; he therefore desires him to hasten with all possible diligence the peace there; the timely conclusion of which," adds his majesty, "will take off that inconvenience, which otherwise I may be subject to by the refusal of that article upon any other reason. He bids him let the Irish know the danger there may be of their total, and perpetual

mitted to his excellency by the Scots committee in Ulster, with evident marks of an intended affront to his majesty's authority in his lordship's person; for they not only sent him the king's letter with^s the seal broken, declaring in their own, which enclosed it, that no dispatch from his excellency and the council, should be permitted to pass, unless they were made acquainted with its contents, but they also omitted giving the Marquis of Ormond his title of lord lieutenant,^b either

^s Carte's Orm. vol. iii. fol. 480.

perpetual exclusion from those favours he intended them, in case the English rebels clapt up a peace with him upon reasonable terms, and only excluding them, which possibly would not be counsellable for him to refuse, if the Irish peace was the only difference between him and them, before it were perfected there. He hoped these were sufficient grounds to Ormond to persuade the Irish to dispatch the peace upon reasonable terms; and to assure them, that he having once engaged to them his majesty's word in the conclusion of it, all the earth should not make him break it." Cart. Orm. vol. ii. Append. fol. 6.

On the 27th of the following month the king wrote to Ormond in these words. "I do therefore command you to conclude a peace with the Irish whatever it cost. I cannot but tell you, that if the suspension of Poining's act for such bills as shall be agreed upon between you there, and the present taking away the penal statutes against the papists, by a law, will do it, I shall not think it a hard bargain." Cart. Orm. vol. iii. fol. 430.

The confederates desired the suspending of Poining's act, lest any bills for the exercise of religion, agreed on in the Irish parliament, might be thrown out in England. "I believe (says Ormond himself) the Irish would not insist upon it (the suspension of Poining's act) but for fear the other acts, which are to be agreed on for their security and settlement, should receive a stop by the council here, or be altered in England." Let. to Lord Digby. Carte's Orm. vol. iii. 428.

^b The lord lieutenant and council, in their answer to the Scots committee in Ulster on this occasion, observe, "that they found so little hope of receiving his majesty's free pleasure, touching his affairs and servants in Ireland, that they had great cause to fear even the safety of any messenger of trust they should send; that, as soon as it should please God to give them clear, and unintercepted ways of address to his majesty, they hoped to give him fit accounts of all his commands directed to us the lord

either in the body or superscription of their letter. Yet this so grossly-affronted lord lieutenant and council, who had frequently disobeyed his majesty's free and positive commands to conclude this peace with the confederates, did now, all at once, most readily comply with this constrained order, so disrespectfully sent them, to forbear all further proceedings in it. ^c

C H A P. IV.

Lord Digby arrives in Dublin, and causes the peace with the confederates to be proclaimed.

BUT that visible alacrity, with which the lord lieutenant and council obeyed this inhibiting order, was suddenly damped, by the arrival of Lord Digby in Ireland, on the 4th of the following month ; who, upon hearing of it, and of their prompt compliance with

lord lieutenant ; which title, by the way, we hold fit to observe unto you, his majesty is pleased to give us, though you, in the several letters directed by you unto us, are not pleased so to stile us." Cart. Orm. vol. iii. fol. 490.

^c Lord Digby in his declaration to the Irish privy council on this occasion, says, " that his majesty had redoubled his positive orders to the Marquis of Ormond, both immediately before his coming from Oxford and since his being at Newcastle (from whence that prohibiting order of the 11th of June is dated), for the immediate perfecting of the peace in Ireland according to the articles agreed on, upon his dispensation with the condition also of the confederate Roman catholics of Ireland sending the men undertaken for by them." Id. ib. fol. 491. Notwithstanding which, Ormond confesses, in his and the council's answer to this letter of the 11th of June, 1646, that he might for some time at least, have not complied with it ; for there he says, " he, the lieutenant, had a special direction from his majesty, sent him soon after his entrance into the government, that if any direction were brought him from his majesty, for doing any thing which he should find might beget inconvenience to his service, that he should, in such case, humbly represent it to his majesty, and in the interim forbear to execute such his directions." Id. ib. fol. 485.

with it, wrote to his excellency, ' " that having received, by an express, the knowledge of his majesty's condition, and of his positive pleasure in the weightiest of his affairs, and particularly those of the kingdom of Ireland, he was commanded to signify the same, as secretary of state to his excellency. Your excellency therefore," proceeds he, " is to take notice, that his majesty, having upon most positive engagements of the Scots, both unto himself and the crown of France, by the French agent residing with the Scots, received assurances from them in three points, namely, that they would not endeavour to force his conscience; that they would give a sure retreat among them to all his faithful servants, and adherents; and lastly, that they would endeavour, by treaty, or by force, to restore him to, and establish him in his just rights; put himself voluntarily into their hands: but since, he hath found them so far from performing any part of their engagement, that they have used him, according to his majesty's own expression, barbarously; and have made him, from the time of his last said dispatch, which was the 2d of June, a prisoner of the strictest kind; having not only chaced from him the only person that accompanied him thither, but also set forth a proclamation of death against any who had served him during these troubles, that should presume to come amongst them; insomuch, that his majesty declares, that he hath no possibility left him, either of receiving any knowledge of his own affairs, but as his enemies shall represent them, or any advices from his faithful servants; much less to express his pleasure to them, in any way but what they shall force from him. And that, having with much skill and difficulty, obtained that secret means of expressing, in short, his sad condition, and his will and pleasure thereupon, the queen and prince, and all his faithful servants were to understand that, as the last free direction they were to receive from him; and that they should, in all things, pursue, and cause to be pursued steadily, those orders,

that

that he had given before this time of his unfree condition : and that, in all things wherein he had not given directions, while he judged himself free, the prince his son should give, from time to time, such orders as should be judged best for the advantage of his crown and interests, without being diverted from it by any thing, that in his present restraint might be either surreptitiously or violently got from him. That particularly, for the business of Ireland, he had while he was free, redoubled unto his excellency such positive orders, for the conclusion of the peace, upon the terms expressed to him by his excellency, since the mutual signing of the articles, that he was confident it would be proclaimed, before his lordship could be back in Ireland."

C H A P. V.

Lord Digby insists on the proclaiming of the peace.

ON the 28th of July, 1646, to satisfy the council on this occasion,^a Lord Digby drew up and signed a declaration, wherein after repeating what has been mentioned in the above letter, concerning his majesty's having redoubled his positive orders to the Marquis of Ormond to perfect the peace with the confederates, and his own expectation, that it would, therefore, have actually been proclaimed before his arrival in Ireland ; he added, that,¹ " finding, instead thereof, a stop set upon the same, by occasion of a letter dated from Newcastle the 11th of June, supersigned Charles Rex, and

^a Cart. Orm. vol. iii. fol. 491.

¹ Lord Digby, afterwards Earl of Bristol, was secretary of state to Charles II. and privy-counsellor at the time of the interregnum. He was a zealous protestant, and wrote several pieces of controversy against the church of Rome ; to which, however, he after the restoration became a sincere convert ; having forfeited all his employments on that account. He was a man of such fine parts, that Dr. Swift in one of his letters, styles him the " prototype of Lord Bolingbroke." See Graing. Biograph. Hist. vol. iii. p. 23.

and attested Lanerick ; and knowing, by his majesty's free expression of his will and pleasure, and of his resolutions and designs in the whole state of his affairs, how contrary to his free judgment and will the same letter of the 11th of June is, and how destructive to all the foundations laid by his majesty, for the recovery of his own, his crown's and posterity's rights, whether by way of a good accommodation or of war, any obedience to the said letter in putting a stop to the peace of this kingdom, expected by his majesty, would be ; I do, according to my duty, and as secretary of state, upon certain knowledge of his majesty's resolution, and as I will answer it with my life,

“ Declare unto his excellency, the lord lieutenant and council of his majesty's kingdom of Ireland, that the said letter of the 11th of June, is either a surreptitious letter or a forced one from his majesty ; procured by some false information of the state of his affairs, and most contrary to what I know to be his free resolution, and unconstrained will and pleasure. And I do further declare, with the same solemnity, and engagement of my life, that if the peace of Ireland shall not be presently concluded, the hinderers of it are the occasion of subverting, and destroying the main foundation resolved and laid by his majesty, for the recovery of his own, his crown's and posterity's rights, as aforesaid, whether by way of accommodation or war ; for the preventing of which irreparable mischief, if there should be the least danger thereof by the scruples of any, I will freely take the whole matter upon myself, to answer to his majesty, as his secretary of state, with my life for this declaration of his will. And I do offer myself to be detained as a prisoner, where the lord lieutenant shall appoint, until such time as his majesty shall be at liberty to express freely and publicly unto the Marquis of Ormond (after private letters received from the Marquis of Ormond and myself) his unconstrained will : and then, if his majesty shall not justify me to have declared it faithfully, I submit myself to suffer death. And I desire, that this declaration of mine be entered in the council book, for my justification,

cation, that I have discharged my duty, in case the mischiefs here set down, shall be occasioned by deferring the peace of this kingdom, upon the aforesaid letter of the 11th of June. In witness whereof, I have hereto set my hand, July 28th, 1646.

D I G B Y."*

This declaration was accordingly registered in the council-book; and upon the same day a proclamation was published ratifying and confirming the articles of the peace; and enjoining all persons to observe, and pay due obedience to it.

C H A P. VI.

Owen O'Nial and the Nuncio reject the peace.

THE Marquis of Ormond seemed not more unwilling to have the peace proclaimed, after it was agreed to, than desirous of an occasion to dissolve it, after it was proclaimed. Unhappily for both sides, such an occasion soon presented itself. The peace had been generally received by the confederate nobility and gentry, and by the greatest and best part of their clergy, conformable, in that respect, to the established clergy

* Cart.Orm. vol. i.

"George Lord Digby was appointed by the English commons one of the managers of the charge against the Earl of Strafford, who, when that earl excepted to the evidence of the Earl of Cork at his trial, because he was his enemy, replied, that if that objection should be of any weight with the court, Strafford had found out a certain way to secure himself from any farther prosecution. Yet (adds my author) this man, who then spoke with so much vigour against him, soon after altered his language, and made a speech in the house in his favour, which he caused to be printed, and also surreptitiously withdrew a paper from the committee, containing the principal evidence against the said earl. The parliament relenting this prevarication, ordered his speech to be burnt by the hands of the common hangman." Ludlow's Mem. vol. i. p. 14.

clergy of Ireland ; who, in a remonstrance to the lord lieutenant on that occasion, signed by two archbishops, nine bishops, and seventy-seven clergymen, “ did most heartily acknowledge, that by his excellency’s very great pains and labour, he had, at last, concluded a most necessary peace ; which they humbly conceived to be the only means to continue the blessings of religion and loyalty among them ; and to be the only hopeful way to reduce the kingdom wholly to his majesty’s obedience.”^a

But the Nuncio Renuccini, and General Owen O’Nial, absolutely refused to submit to it ; the former, because there was no provision made for the free exercise of the catholic religion ;^b without which the confederates were engaged by their oath of association, never to conclude a peace ; and the latter, on the same account, as well as that no stipulation was made for restoring him, and his numerous followers to their forfeited estates in Ulster.^c The Nuncio alleged besides, that the commissioners who had concluded the peace, did not, according to their instructions, insist upon the repeal of the penal statutes against the Roman Catholic religion.^d The

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Marquis

^a Borl. Hist. of the Irish Rebel.

^a Yet Carte does not scruple to say, “ that the protestants shewed the greatest aversion to that peace.” Life of Ormond, vol. ii. fol. 10.

^b Yet, “ the pope himself (says Dr. Leland) had declared, that a connivance was all that could at present be reasonably demanded.” Hist. of Irel. vol. iii. p. 277.

^c “ Over and above those demands which concerned religion, to which they seemed to adhere with more than ordinary zeal, and thereby drew a dependency of the clergy to them, they insisted upon the restitution of the great estates in Ulster, which was not in the power of the crown to make.” Borl. Hist. of the Irish Rebel. fol. 313. Clarendon.

^d In the sixth article of (the supreme council’s) instructions of the 17th of April, to Mr. Nicholas Plunket, the confederates order him to let his excellency know, “ that if he cause the articles of peace to be proclaimed, then they must publish those articles concerning religion made with the Earl of Glamorgan, and

Marquis of Ormond could not deny the fact ; but he maintained,² “ that the peace which the confederates commissioners had concluded, by virtue of an authority derived from their general assembly, whether advantageous or prejudicial to those that trusted them, ought to have been inviolably stuck to, how blame-worthy soever they might be pretended, for transgressing instructions.” This manner of reasoning, however, seems to have been taken up by his excellency, only for present convenience ; for he argued very differently on the same topic of instructions, when, in a former treaty with the confederates, the case was to be his own ; and when, in order to justify his rejecting some of their propositions, he told them,³ “ that if he had exceeded his instructions, he would have deluded those he treated with, with the shadow of concessions ; for that the substance would be lost, by his transgressing the rules given him, in any one particular.”

But however that might have been, the Nuncio's casuistry differed materially from that of his excellency on this occasion ; and therefore that prelate resolved to enforce his opinion by such means as, it appears, he had neither commission nor instructions to pursue.*

For,

² Cart. Orm. vol. iii.

³ Id. ib. fol. 424.

and that it was not in their power to do otherwise, for fear of losing their foreign friends, and the danger of a rupture at home.” Enquiry into the Share, &c. p. 201. But soon after upon a refusal by his excellency, “ they promise to omit the publication of the Earl of Glamorgan's concessions, and expressed their willingness and resolution to concur and agree to the publishing of the articles of pacification as already settled. But the Marquis of Ormond had not yet received his majesty's pleasure with regard to the articles of peace.” Id. ib. p. 203-4. “ On the 6th of February 1645-6, the Nuncio sent to the supreme council a protestation against the peace, signed by himself, and the archbishops, bishops, and clergy.” Id. ib. p. 204. “ The Nuncio did not discover that the confederates had made peace with the Marquis of Ormond till the 25th of June following.” Id. ib. p. 206.

* The Nuncio's violent measures were, it seems, contrary to the instructions he had received from Rome, and made it necessary for him to send an apology to the pope.” *Lel. Hist. of Irel.* vol. iii. p. 292. Note.

For, having called together, at Waterford, such of the Irish bishops and other clergy, as were mostly under his influence, on pretence of forming a synod to settle ecclesiastical matters, they entered all at once on a debate concerning the lawfulness of the late peace;^f and having soon determined, that all those who were instrumental in making it, were, for the reasons before-mentioned, guilty of a formal breach of their association-oath, they issued an excommunication against them; as also against those of their communion who should afterwards adhere to it; forbidding, under the same penalty, any public dues to be collected by or paid to such persons as were formerly appointed to receive them; and giving encouragement, at the same time, to the people to resist any force that might be used for that purpose.^g “This,” says Mr. Belling,^h “of all their commands,

^h Belling’s MSS.

^f “At the same time (15th of August, 1646) “the archbishops of Dublin and Cashel, and the bishop of Elphin, wrote in the name of the congregation of the clergy, a letter to the queen, in which they say, they dislike the peace, because all things are referred to the pleasure of the king, which (add they) we would readily submit to, if he were not environed on all sides with the enemies of our religion, and at such a distance from your majesty.” He was then in the hands of the Scots. Enquiry, &c. p. 217, 218.

^g The supreme council, in order to prevent the clergy’s taking this rash step, had remonstrated to them among other things, “that though in the articles (of the peace) now published, there were few things satisfactory with relation to religion, yet there is a reference in them to the king’s further concessions; that articles had been concluded between the Earl of Glamorgan and the confederates, in which many concessions had been made of great advantage to the catholic religion, which might justly be understood to be implied in the clause of the lord lieutenant’s articles, referring to his majesty’s further concessions; that earl having a commission from his majesty, the original of which, signed by the king’s own hand, was deposited by the earl with the confederate catholics; that, the king being in the hands of the Scots, there was no possibility of engaging him to make any other concessions in point of religion for the present; but that as his majesty could have no other method of recovering his crown, but by the catholics and foreign princes, who were zealous

commands, met with the promptest obedience; and men were so pleased with the observance of it, that, when the clergy themselves, had soon after, formed a new government, by the name of the council and congregation, they found much difficulty to bring the people to open their purses."

C H A P. VII.

The bad effects of the clergy's proceedings.

BY this spiritual weapon alone, the Nuncio and his party contributed more, in one week, towards the defeat of the confederate army, than the Marquis of Ormond, with all his forces, had been able to effect during the whole preceding time of the war. The cause of religion, which is said to have first moved them to take arms, and afterwards, to have united them in a regular and formidable body, was now made an instrument to split them into parties more exasperated against each other, than they were before against the common enemy. The titular Bishop of Ossory shut up, by an interdict, all their churches, and houses of prayer in Kilkenny, the place where their general assembly, and supreme council, usually met; upon which the Marquis of Ormond sarcastically observed,¹ "that they were a strange sort of people, who, after fighting so long for liberty to open their churches, and having got it, shut them up again, of their own accord, and hindered their people to resort to them."

The Nuncio's violent measures, as I have already observed, were contrary to the instructions he had received from the court of Rome. By these he was² directed,

¹ Cart. Orm. vol. iii.

² Id. ib. vol. i. fol. 578.

ious for that religion, all just concessions in favour of it might be expected from him, when he should have it in his power to grant them." Enquiry into the Share, &c. p. 215. from the Nuncio's Mem.

directed, in case peace was made, to do nothing, either by word or deed, to shew that he either approved, or disliked the same. Nay, there was great reason to believe, that the peace concluded with the Marquis of Ormond, was agreeable to his holiness's sentiments. For, some time before, when Mr. Belling had audience of him on that subject, the pope told him,³ "it was no wonder, if the king thought it unsafe publicly to grant the Irish the conditions they demanded, lest it might disoblige his protestant subjects, and that, therefore, a connivance ought to content them for the present."

The terror, however, of this excommunication drew off great numbers of the common soldiers; and it so far scared General Preston and his officers, who had submitted to and proclaimed the peace at the head of his troops, that he and his whole army, went over to these militant ecclesiastics. Their plea of the breach of their association oath,⁴ and of the failure of their commissioners to insist on the public exercise of their religion, according to their instructions, was indeed plausible; but they had a much better excuse, in the insecurity of that peace from the king's before-mentioned order of the

³ Belling's MSS. Carte, vol. iii. fol. 564.

⁴ In that oath, the following among other propositions, was agreed to, viz. "that they would not consent to lay down their arms until all the laws and statutes made since the time of king Henry VIII. whereby any restraint, penalty, mulct, or incapacity, or other restriction whatsoever, is, or may be laid on any of the Roman catholics, either of the clergy or laity, for the exercise of the Roman catholic religion, within this kingdom, and of their several functions; should be repealed, revoked and declared void in the next parliament, by one, or more acts of parliament to be passed therein." Unkind Deserter, &c. p. 53.

The same author adds, "now if the said committee of treaty for concluding the peace, swerved from any of the rules and instructions given them (as indeed they have done), what they acted, can no way oblige either the clergy or the people to their own overthrow and destruction. It were a hard case for a commonwealth, if persons by her impowered with trust could bind it to acts prejudicial and destructive to their preservation, interests, and liberty." *Ib.* p. 60.

the 11th of June to the Marquis of Ormond, to proceed no further in it ; and in that order's not having come to their knowledge, till after it was proclaimed.^b But notwithstanding this defection of some of the commanders, soldiers, and common people,^c " all the confederate nobility and gentry (except a very few of the latter) and all the old bishops and regulars, whose missionary powers were not subordinate to the Nuncio's authority, still adhered to the peace, in defiance of the censures denounced against them ;^d and the Nuncio himself, soon after, received a severe reprimand from Rome, for having acted in the matter contrary to his instructions."

C H A P. VIII.

The Marquis of Ormond goes to Kilkenny, but returns suddenly to Dublin.

THE Marquis of Ormond, having had notice of these practices of the Nuncio and clergy at Waterford, went to Kilkenny,^e " being invited thither, and informed, that his presence would soon remove the causes or suppress the effect of the clergy's discontent." His lordship confesses,^f " that he was received there with many expressions of joy in the people, and with the

^a Clarend. Ir. Rebel. ^b Cart. Orm. vol. i. fol. 57c.

^c Id. ib. vol. iii.

^d Id. ib.

^e But it appears by the clergy's declaration to the supreme council, that it first came to their knowledge by his majesty's letters taken at Naseby, that Ormond had power " to repeal the penal laws, and suspend Poining's act, and they proposed (on 15th of August, 1646) that these letters, together with Glamorgan's concessions, should be made public." Enquiry, &c. p. 222-3. The supreme council in their answer to this declaration, say, " that the repeal of the penal laws was purposely omitted in the peace (with Ormond) as being less than Glamorgan's concessions, and therefore might derogate from them ; but that they would print and publish Glamorgan's articles, and insist upon their being obligatory on the king." Id. ib. p. 227. From the Nuncio's Mem.

the respect due to his majesty's lieutenant ;" but adds, " that upon his further march into the country, being refused admittance into Clonmell, and besides, informed that General O'Nial, leading an army of Ulstermen, was invited and drawn towards Kilkenny, to hinder his retreat, and cut off the guards he had brought with him, he hastily returned to Dublin, full of indignation, and resentment at this instance of treason, perfidy and ingratitude."

Such was the Marquis of Ormond's declared sense of this matter, which has been generally adopted by all our historians. I shall, however, take the liberty to examine, whether the information his excellency speaks of was grounded on fact ; or whether it was not rather contrived, or at least, countenanced by himself, in order to justify a design, which he then entertained of renewing his treaty with the Scots in Ulster ; and with their now only acknowledged masters, the rebels in the English parliament.

Whatever faults General O'Nial might have had, ingratitude and perfidy were not, certainly of the number.^c Mr. Carte himself, one of his accusers on this occasion, informs us, in relation to a transaction subsequent to this,³ " that the Marquis of Ormond had a very advantageous opinion, as well of his honour, constancy and good sense, as of his military skill ; from which, he proposed as much advantage to the king's affairs, as he did from the force of his

³ Ib.

^c " O'Nial (says one of his most inveterate enemies) was a man of an haughty and positive humour ; and rather hard to be inclined to reasonable conditions, than easy to decline them, or break his word, when he had consented." Borl. Hist. of the Irish Rebel. fol. 232.

" Owen O'Nial (says Mr. Carte,) observed the cessation so religiously, that when some of the garrison of Enniskillen made him an offer of betraying the place, he would not embrace it, although great preys had been taken from the Irish in the excursions made by that garrison." Orm. vol. i.

his troops ; and that he always used great frankness in his treaties with them."

His excellency knew that O'Nial had publicly rejected the peace, and was still in hostility against him ; so that, supposing the information true, and that he really designed to cut off his retreat to Dublin, such a design could not be properly deemed perfidious ; or, indeed, so dishonourable, in any respect, as those frequent acts of rapine and cruelty, committed on the confederate party by forces under his lordship's obedience, during the cessation ;^d which acts instead of being punished or restrained, were constantly connived at, if not encouraged, by his lordship and the council : a proceeding very different from that of the general assembly of the confederate catholics, with regard to O'Nial ; whom, on account of his opposition to the peace while it was in agitation, they neglected in their appointment of generals after its conclusion. And resentment of that neglect was thought to have been the chief cause of his hostile and too successful endeavours, to frustrate all their subsequent undertakings for the settlement of the kingdom.

Under colour of just indignation at O'Nial's supposed design, the Marquis of Ormond, in concert with the council, (soon after his return^e to Dublin from Kilkenny,) addressed the British parliament, and renewed his treaty with the Scots in Ulster, with compliments to these latter, which, whether sincere, or not, reflected no small dishonour on his excellency.⁴ " There

now

⁴ Cart. Orm. vol. iii. fol. 566.

^d The English officers in the North, in a declaration published by them in the year 1645, confessed, " that though they were not under the command of the Scots, yet they had joined with them in all their expeditions (against the Irish), and had made a stricter association with them, since the cessation, to carry on the war, upon condition the covenant should not be pressed upon them : (my author, however adds) that the committee from the parliament still continued to press the covenant, resolving, upon their refusal, to strip them of their respective commands and employments." Cart. Orm. vol. i. fol. 539.

^e He arrived in Dublin from Kilkenny, on the 13th of September. Cart. Orm. vol. iii. fol. 566.

now goes," says he, in a letter to Sir James Montgomery, September the 18th, "from me and the council, a dispatch to the old and new Scots, and British officers (in Ulster), acquainting them, that for the preservation of the kingdom to the crown of England, we have made an address to the parliament,^f and desiring in the mean time, there might be betwixt us here, such a correspondence as befits men that are certainly of one mind, however through the distemper of the times we may have differed in our ways."

C H A P. IX.

The Marquis of Ormond pursues his treaty with the covenanters in Ulster.

IN vain did his excellency's noble friends, the Lords Clanrickard and Digby, assure him, on this occasion,¹ "that they still found the generality of the Irish nobility and gentry, and others of inferior rank, very well disposed to peace; that General Preston, and his officers, were still well inclined; that Preston's compliance with the Nuncio was only to preserve himself, and to get such a body together as might make him as considerable as O'Nial; that this body, consisting of all those forces which the Marquis had most reason to hope well of, if he might have but private satisfaction for the

¹ Id. ib. vol. iii. fol. 498, 507.

^f What the Marquis of Ormond's thoughts were of this parliament two years before, when it was not altogether so rebellious and lost to all hopes of reconciliation with the king, appears from his answer to this same Sir James Montgomery's private invitation to him, to enter into a treaty with it. On that occasion he told him, "that he could not observe any advantage that might arise to persons loyally affected from holding a treaty with the remaining part of the parliament at Westminster. Nor yet, that it was safe for such to entertain a treaty with them. For certainly (adds he) they will part with nothing but upon such conditions as cannot consist with duty and loyalty to perform with them." Cart. Orm. vol. i. fol. 491.

the security of religion, so far as he did understand it to be secured by the articles of the peace, but found it indeed not to be, he would join heartily with his excellency." These remonstrances, I say, made no change in the marquis and council's settled purpose to prosecute their treaty of alliance with his majesty's declared enemies in both kingdoms.*

As the bishops and clergy assembled at Waterford, found themselves suspected of having put O'Nial on the supposed design of cutting off his excellency's retreat to Dublin, one of their body thought it incumbent upon him to wipe away that aspersions, "by protesting solemnly, before God and his angels, that they were utter strangers to any such design; and that they neither knew nor expected that his excellency would have so suddenly returned to Dublin." And General Preston

* Unkind Deserter, &c.

* Lord Digby in his letter to Ormond on this occasion, adds, "I most humbly but most earnestly conjure you, by all the good that you can hope for, by any thing we have designed, not to suffer yourself to be engaged by the importunity of others, to that which must make you wholly depend upon those you detest (the English parliament). Cart. Orm. vol. iii. fol. 507. Yet Ormond in a letter of the following day, October 12th, 1646, tells Digby, "that from the parliament commissioners he had a letter to all parliament ships to furnish him with powder." Id. ib. fol. 505. Lord Digby to Ormond, October 13th, 1646, "Preston will not join O'Nial, but hath sent me word, that if he may but have any reasonable assurance of what was offered concerning the security of religion, he will obey the Marquis of Ormond intirely, and join all his forces against O'Nial's; besides the hatred of the generals, their men have a greater anomifity, one against another, than those at Dublin have against either." Id. ib. In answer to this, Ormond tells Digby, "that till the success of his address to the parliament was known, it would be neither wise nor honourable to begin a treaty with Preston, unless he were advised thereto by the council." Id. ib. fol. 506. In another letter Ormond tells Digby on this occasion, "you know I cannot close with the Irish, or any party of them, till there be an end of the treaty with the parliament, though to keep off the present danger, I may discourse with them." Id. ib. fol. 513. The Nuncio's party were then going to besiege Dublin.

Preston assured the Earl of Clanrickard,³ “ that (instead of the Nuncio and clergy’s having given encouragement to O’Nial’s advance) he himself had been the bearer of two different orders from them, upon notice of his advancing with his army, to oblige him to retire. But that O’Nial’s answer was, “ that the Nuncio was but a young soldier, and that, for his part, he must and would go, where his army might be kept together and provided for.”

General Preston himself, was not altogether unsuspected by the marquis, of having conspired with the Nuncio and clergy, in the design of intercepting him. His excellency, however, even in his hasty retreat to Dublin, met with sufficient reason to acquit him of any such design;⁴ “ for, having dispatched Major General Sir Francis Willoughby, with a considerable party, to prepare his way, the major general understood, when he came to Leighlin-bridge, that Colonel Bagnal, under General Preston’s command, was posted in the fort there, with an hundred men; and as he was to pass by that fort, he sent two officers to Bagnal, to know whether he might expect him as a friend or an enemy. Colonel Bagnal returned a very civil answer, that the passage over the bridge should be open, and that he might command any accommodation the castle could afford. The major general found it so at his coming, and marching over the bridge, rendezvoused his men in the plain field, where he rested till Lieutenant-Colonel Flower joined him in the evening, with the lord lieutenant’s own regiment.”

C H A P.

³ Carte’s *Orm.* vol. iii. fol. 497.

⁴ *Id.* vol. ii.

C H A P. X.

A new general assembly and council.

IN the mean time, the Nuncio's party increased daily, and his opposition to the peace in proportion; inso-much, that, after having formed a new general assembly of such persons, ecclesiastics and others, as he knew to be most attached to him, he caused several eminent members of the former assembly, who had been active in concluding the peace, to be imprisoned in the castle of Kilkenny. Among these,¹ were Lord Mountgarret, with his two sons, and all the members of the supreme council, except Plunket and Darcy. Sir Robert Talbot, Sir Pierce Crosby, Dr. Fennel, Colonels Bagnal and Wale, with several others, underwent the same fate.² This assembly assumed the entire government to themselves; and by a solemn decree, on the 26th of September, appointed a new supreme council, consisting of four bishops and eight laymen, commanding all the generals to be subject to their orders. The Nuncio took upon him to be president of this council.

It is, nevertheless, certain, that the Irish clergy did not by these rash proceedings, deviate in the main, from their real and fixed sentiments of duty and allegiance to the king. This appears from a letter of the Nuncio's to Cardinal Pamphilio, wherein he tells him,³ "that the oath of allegiance was sworn by all the bishops without any scruple, and that it was so thoroughly rooted in the minds of all the Irish, even the clergy, that if he had in the least opposed it, he would presently have been suspected of having other views besides those of a mere Nunciature; which, without any such

¹ Cart. Orm. vol. ii. Belling's MSS. ² Id. ib.

³ Cart. Orm. vol. ii. fol. 579. From the Nuncio's Memoirs.

such handle, (adds he) have been already charged upon me by the disaffected.”*

Yet, even in this new-modelled confederacy, there wanted not some strenuous advocates for the observance of the late peace. Part of those just and honest reasons produced by Colonel Walter Bagnal, in support of it, at one of their meetings, I shall here transcribe from Mr. Belling, who was present.

“ I appeal,” said he, “ to the consciences of all that hear me, if when we were first compelled (for compelled we were) to take arms for the safety of our lives and fortunes, and for the defence of our religion, and our king’s rights; and when his majesty had power to dispute his cause, with probability of success, against his rebel subjects of England; if, I say, we had been then offered less advantageous conditions, than those granted by the late peace, whether we should

* Nay, but a few months before Ormond surrendered the regalia to the parliament commissioners, “ the Earl of Glamorgan drew up, by the advice and with the assistance of the Nuncio, a paper in Latin, containing reasons for inviting his majesty into Ireland, according to his majesty’s desire, signified to them in a letter of the 20th of July, 1646; in which paper they tell him, among other things, that he will then discern, how little his interest is regarded by the Marquis of Ormond, and Lord Digby; and, by his presence, gain the affection of that nation to himself, to whom it is really and solely due, and engage the whole force of it to be absolutely at his disposal; that his majesty, by committing himself to the faith of the catholics, would procure the assistance of all the catholic princes, and especially of the Pope, whose Nuncio, in that kingdom, was most devoted to his majesty: that he would then be really a king, and not have his hands tied, nor be forced to any thing against his will, but would enjoy all the power of a king, and be defended by the fidelity and power of those who would pay him all obedience, and lay down their lives for his majesty.” Enquiry into the Share, &c. p. 246-7-8. From the Nuncio’s Memoirs.

“ What was the progress,” says my author, “ of this correspondence between the king and the earl, does not appear; but it is certain, he was so strictly guarded, that he never found an opportunity of escaping to Ireland to his lordship and the Nuncio.” Id. ib. p. 251.

should not have accepted them, with a thankful submission to his majesty's gracious pleasure? And truly, I cannot see that improvement in our condition, if we prudently weigh all circumstances, which should make us now less willing to acquiesce. We have plenty of arms, you will say, which we then wanted; our armies are formed, and our affairs directed by a constant way of government. Certainly, it cannot be denied, if we make the comparison only between us and ourselves, without having a prospect on our enemy, and upon the change of his condition, between the then tumults, and now confederate catholics, that we have manifold advantages which we then wanted. But when we consider likewise, that the party in the parliament of England, which had vowed the extirpation of our religion, and was then seconded but by the confused clamours of the multitude in London, hath armies at present, and the royal fleet at their command; and that of the two contending parties, whose conflict and hostility against each other gave us respite to advance thus far in our work, that party is likely to prevail, which threatens our destruction; when, I say, we shall maturely weigh this change to the better in our enemies, we cannot be so partial to ourselves, as to think our present estate so much improved beyond theirs, that we should now reject those conditions, which we would have chearfully embraced at first. And it is very manifest, that if we would have inclined to such resolutions, at a time when our king was in a situation to keep the parliament forces employed, and so to divert this storm from falling on us, both regard to our own interest, and dutiful compassion of our sovereign's present condition, ought now, in all reason, to move us, by endeavouring to relieve his majesty from his heavy pressures, to lay everlasting obligations of gratitude upon him; and, by assisting his party in England, to lift up a shield for our own defence; which can no otherwise be done than by accepting this peace, concluded and published by authority of the kingdom; and by avoiding those severe punishments

ments, which never fail to attend the breach of public faith."

Afterwards, addressing his speech to the bishops there present, "My lords," proceeds he, "there was a time, when our ancestors, at the peril of their fortunes, and with the danger of their persons, sheltered some of you, and your predecessors, from the severity of the laws; they were no niggardly sharers with you in your wants; and it cannot be said, that the splendor of your present condition hath now added any thing to the sincere and filial reverence, which was then paid you. We, their posterity, have with our blood, and at the expence of our fortunes, asserted this advantage, which you have now over them, have redeemed the exercise of your functions from the penalties of the law, and your persons from the persecution to which they were subject. We are upon the brink of a formidable precipice, reach forth your hands to pull us back; your zeal for the house of God will be thought no way less fervent, that you have preserved the Irish nation; rescue us, we beseech you, from these imminent miseries that visibly environ us. Grant somewhat to the memory of our fore-fathers, and to the affection we bear you ourselves. Let a request find favour with you, made to prevent the violation of public faith, and to keep the devouring sword from the throats of our wives and children."^b

Mr. Belling informs us,⁴ "that this speech moved compassion in some of the bishops; but that a resolution taken in their synodical congregation was held too sacred to be revoked or changed, upon any consideration."

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⁴ Ubi supra.

^b This loyal gentleman having been afterwards sent by the confederates to the Cromwellians, as a public hostage for the performance of articles agreed on between them, was executed at Kilkenny by order of the latter, for having formerly signed a warrant, as was pretended, to hang one John Stone, a known and convicted spy. See Collect. of Massacres committed on the Irish. Append. See Ludlow's Mem. vol. i. p. 426.

C H A P. XI.

The Nuncio, O'Nial, and Preston, advance towards Dublin with a considerable army.

THE Nuncio's confederacy, though much elated with their newly acquired power, were suddenly alarmed, by certain and undoubted intelligence of the Marquis of Ormond's having advanced so far in his treaty with the English parliament, that commissioners were appointed to pass over to Ireland on that occasion, and orders issued for two thousand foot, and three hundred horse, to be transported from Chester to Dublin. This intelligence made the new confederates imagine, that his excellency was no longer entitled to their obedience; they now considering him in the same hostile light with those declared enemies of his majesty, whose alliance and assistance against them he was then soliciting. Pursuant to this idea, they unanimously resolved, to march their whole army to Dublin, in order to prevent its being delivered up to the English parliament.* Accordingly, about the latter end

* We have observed that among other patents and commissions signed by the king, in favour of the Earl of Glamorgan, there was one appointing him lord lieutenant of Ireland, upon the Marquis of Ormond's term of holding that post, or in case the marquis should, by any fault, deserve to be removed. And at this juncture, "the earl being desirous," says the Nuncio, in a letter to Cardinal Pamphilio, "to advance himself to the marquis's post, had begun to solicit the consent of the kingdom, and believes, that he has the interest of the two generals, and almost all the congregation of the clergy, and the new council. I have thought it the more proper to promote this affair, since when Dublin shall be taken, it will be immediately necessary for the kingdom to provide a lord lieutenant; the king's inclination and pleasure concurring with this design." In the same letter he says, "and, in fact, the way seems open for us, since the Marquis of Ormond is now publicly negotiating with the parliamentarians, and consequently making a treaty with the king's enemies." Enquiry into the Share, &c. p. 253-4.

end of October, 1646, the two generals, O’Nial and Preston, set out, at the head of sixteen thousand foot, and sixteen hundred horse, together with the Nuncio and new supreme council, towards that capital ; and, on the 2d of the following month, they sent the Marquis of Ormond certain propositions, which, in effect,¹ contained the same demands that they had all along made, and the king was willing to grant them, but which his excellency had still obstinately refused.

The Marquis of Ormond was, at this time, ill provided with the means of defence, against so numerous and powerful an army. There was great scarcity of victuals in the city, and not more than fourteen barrels of powder in the stores ;^b yet relying on the hopes of assistance from the English parliament, he rejected the confederates propositions, with derision and disdain. At the same time, he privately solicited the aid of the covenanters in Ulster,² with previous offers to them of those very terms which he now refused to the confederates, namely, the free exercise of their religion, and the reception of their forces into his garrisons ; and not having then prevailed, he afterwards, of his own accord, as we shall presently see, surrendered the royal authority to their masters, the independents in the British parliament, to the ruin of the king, and of the established religion and government in both kingdoms.

B b 2

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¹ See Carte, Borlase.

² Carte’s Orm. vol. iii.

^b “ In the sense of his weakness,” says Mr. Carte, on this occasion, “ his lordship had desired the commander of a vessel belonging to the parliament, to carry his wife and children to the Isle of Man, but was refused. And though the captain offered to transport them to Chester, or any place in the parliament’s obedience, he chose rather to expose them to the same hazards with himself in Dublin, than to accept of that offer. For,” adds my author, “ he had reason to suspect the good faith of the parliament.” Carte’s Orm. vol. i. f. 588. Yet to that very parliament he, within a few months after, ~~delivered up~~ ^{delivered up} all the king’s delegated authority in Ireland.

C H A P. XII.

The sentiments of the catholic clergy of Dublin on this occasion.

BUT his excellency and the council, being doubtful,¹ how the catholics of Dublin, who were by far the greatest part of its inhabitants, would behave, in case that city was assaulted by so great an army, fighting under the title of so specious a cause, and under the authority of so extraordinary a minister of the apostolic see, ordered the following questions to be proposed to such of the catholic clergy as then resided there.

1st, "If the Pope's Nuncio, and the rest of the Roman catholic clergy in a synod, should excommunicate those who adhered to the peace lately made, whether such an excommunication would be in itself void, or sufficiently grounded on the doctrine of the church of Rome?"

2dly, "In case this city shall be besieged or assaulted, by the advice, consent, direction, or command of the said Nuncio or clergy, or both of them, whether, in such case, are the Roman catholics of this kingdom obliged, in conscience, to resist such siege or assault, with the peril of their lives and fortunes?"

To the above questions the undernamed Roman catholic clergy of Dublin, in obedience to his excellency's and the council's commands, with all humility, returned the following answers.

To the first question, "We conceive, and hold for void, and in no wise grounded on the doctrine of the Roman catholic church, any excommunication that hath no other ground, but the adhering to the peace lately concluded, or to any other point of true and cordial loyalty to our gracious sovereign King Charles."

To

¹ Belling's MSS. Carte's Orm. Vindic. Catholic.

To the second, "As we really, in our hearts and consciences, hold our sovereign lord king Charles, to be true and lawful king of this city, and kingdom of Ireland, and of all others his majesty's dominions; so we do conceive, that the Roman catholics of this kingdom, in case of a siege or assault made, or intended, for the taking of this city from our said sovereign the king, or from any deriving lawful authority from him, and holding it for him, are obliged in conscience to resist, with the peril of their lives and fortunes. This being our answer, we thereunto put our hands,^b

F. Marcus Rochfort,	Thomas Quin,
F. Peter Darcy,	F. James Fleming,
Adrian Cardan,	F. Gregory Lawless,
William Brown,	Richard Osburne."

C H A P. XIII.

The Marquis of Ormond proceeds in his treaty with the parliament.

"ON the 14th of November 1646,¹ commissioners from the English parliament arrived in Dublin, with men, ammunition, and provisions of all kinds; who seeing the weakness of the place, and knowing his excellency stood in need of every thing necessary for its defence, made no doubt of his receiving the supplies they had brought upon any terms. The lord lieutenant expected the commissioners had brought specific answers to the propositions,^a which he had sent to

¹ Carte's Orm.

^b "The papists of Dublin," says Lord Digby in a letter to Ormond on this occasion, "will be faithful against O'Nial's army, if assaulted." Cart. Orm. vol. iii. f. 511.

^a These were, 1st, "That the said lord lieutenant will prosecute the war against the Irish rebels, as vigorously as he shall be enabled thereunto by the parliament of England, and that he will

to England; but they had brought no such answers, nor any instructions about them. And when he offered them a copy of the propositions, they would not receive it, nor enter into any debate upon the subject; their

will faithfully serve the crown of England therein;" against which the parliament was then in open rebellion.

2d, "That whilst he hath the government of this kingdom, and the command of the armies therein, none of the supplies of men, money, arms, ammunition, victuals, or any other provisions of what kind or nature soever, which shall, by the parliament of England, be sent over, or joined with the forces already under his command, nor any other forces that shall be under his command, shall in any wise be employed either within this kingdom or without it, but by the express direction of the said parliament of England.

3d, "That he will not, upon any command, or by virtue of any power or authority whatsoever, enter into any treaty with the said Irish rebels, or conclude any peace or cessation with them, without the consent and express command of the king and parliament of England." A favourite expression, at that time, with those who in the king's name fought against his person.

4th, "He will engage himself to the true performance of all these things, by oath, or any other means that can be proposed to a man of honour and conscience.

"Sept. 26th, 1646.

ORMOND."

Borl. Irish Rebel. f. 220.

NOTE, 1st, These propositions were rejected by the English parliament, although Ormond, in order to induce their acceptance, offered to wave the first proposition, in which, for form's sake, he thought it necessary to mention his faithfully serving the crown of England. Id. ib.

2dly, That English parliament, to which Ormond made these offers, had voted Lord Viscount Lisle, lord lieutenant of Ireland, in April preceding, in opposition to the king's appointment. Id. ib.

And in March following, the Marquis of Ormond accepted of a present of twenty barrels of powder from him. Borlase's Reduct. of Irel. p. 248.

In his final agreement with the parliament, Borlase seems to say, that he waved the first proposition. Ib.

"On the 10th of March, 1646, the Marquis of Ormond was supplied from the parliament ships, in the bay of Dublin, with 20 barrels of gunpowder, by the permission of Lord Lisle, the parliament's lord lieutenant." Ib. p. 220.

their instructions confined them to treat only for the sword and garrisons; for which they offered to take the protestants of Ireland under their protection, on condition of their submitting to the ordinances of parliament.² But no protestant," continues Mr. Carte, "that would not renounce his allegiance to the king, could depend upon that protection for his security." His lordship, on his part, proposed, until their instructions from the parliament could be enlarged, to distribute their forces into his garrisons, if they would submit to his orders, and to martial law, and if they would lend him three thousand pounds to support the army; but these proposals were refused. So resolving to break off the treaty, his excellency told them, that he could not, consistent with his duty, part with so great a trust, without his majesty's command, and asked them, whether they could produce it? But the commissioners wondering, with good reason, that he should expect any such authority from them, embarked on board their ships, with all their men, whom they carried into Ulster."

C H A P. XIV.

Clanrickard's engagement with Preston,

THE Marquis of Ormond, with a view of gaining time to better his conditions with the English parliament, to prevail with the Scots in Ulster to march to his assistance, and to avert the impending storm from Dublin, sent the Lords Clanrickard and Digby to Leixlip, where, agreeably, as they thought, to his excellency's sentiments, they entered into a private engagement^a with General Preston and his

² Cart. Orm. vol. i. f. 591.

^a "This engagement," says Mr. Carte, "was of eminent service in a time of the greatest danger, and the means of saving Dublin." Orm. vol. i. fol. 592.

his officers, "that,¹ upon their submitting to the peace, sufficient security should be given to the Roman catholics, for the free exercise of their religion; that part of Preston's army should be admitted into the king's garrisons; that the Marquis of Ormond should obey his majesty's free commands, the queen's, and those of the Prince of Wales, and Lord Digby's signification of them; and that his excellency should not, for the future, obey such commands, to the prejudice of what was undertaken, as should be procured by the advantage of his majesty's want of freedom."

But this not being consented to, or rather being peremptorily² refused by his excellency, Lord Digby wrote to him on the 18th of November, "that the utmost that was expected by Preston and his officers was, a declaration from his excellency to the following effect, which being granted, they would immediately submit to the peace, viz.³ "that whereas it is well known, even by his majesty's printed letters,^b that his majesty's gracious intentions were to secure his catholic subjects of this kingdom in the free exercise of their religion, by the repeal of the penalties of the laws against them; which in the last articles of the peace was left out, by the subtilty of some of their own party, who intended to found this late mischief upon it: that it was far from his majesty's or excellency's intention, to take advantage of that omission; but that they may rest as secure of his majesty's favour, in the repeal of the said penalties, as if it had been positively expressed in the articles."

The

¹ Cart. Orm. vol. iii. fol. 591. ² Id. ib. vol. iii. ³ Ib.

^b The zealots (among the confederates, says Dr. Leland) considered Ormond as secretly disaffected, and in conjunction with a presbyterian council (as they called them) determined to defeat the king's hopes of succour, by obstructing the Irish peace. To this they attributed every delay; and when the seizure of the king's cabinet at Naseby discovered his private instructions to Ormond to conclude a peace whatever it might cost, they were enraged, and printed the letter, with severe animadversions on the Marquis (Ormond)." Hist. of Irel. vol. iii. p. 253.

The marquis of Ormond having in his answer to this letter, given a positive denial ⁴ to every part both of the above-mentioned engagement and this declaration, not without some indecent reflections on General Preston and his officers, who had already signed the engagement,^c and expected nothing but his excellency's commands, to prosecute, in action, what they had thereby promised. Lord Digby replied,⁵ "that he could not consider these answers of his excellency, without such an heart-breaking amazement as rendered him almost unable to make any reply." He, however, reminded him, as did Clanrickard also,⁶ "that they had entered into that engagement with General Preston,^d not without sufficient grounds given them by himself; that by such variance of his excellency, or mistake of their own, not only the business, wherein they had laboured all that time, so essential to his majesty's present service, and all his future hopes, but the honour and personal safety of his faithful servants, was upon the point of being made absolutely desperate."

As for the admission of Preston's forces into his excellency's garrisons, which was the article chiefly objected to, Lord Digby declared, in his own and Clanrickard's name,⁷ that, "upon a full examination of the whole proceedings of Preston and his army, they were most confident, that upon this engagement of theirs, they deserved to be trusted, as having originally never

⁴ Id. vol. iii.⁵ Ib.⁶ Ib.⁷ Id. ib.

^c Preston, in a letter to the mayor and citizens of Kilkenny after having signed this engagement, tells them, "that by God's help, in four days, Dublin, Drogheda, Dundalk and Trim, would be garrisoned by his army." MSS. communicated by Mr. James Laffan of Kilkenny.

^d "The Marquis of Clanrickard had an entire trust, answerable to what he had begun to treat of with General Preston, from the lord lieutenant himself, as a person superior to all temptations which might endeavour to lessen or divert his affection and integrity to the king, or his zeal to the Roman catholic religion, in which he had been bred and to which he constantly adhered." Borl. Irish Rebel. fol. 222.

never had any intention of hostility against his excellency ; but, on the contrary, that they had purposely delayed and kept off from him the mischief, that would otherwise long before have overwhelmed him. That if his excellency had expressed a confidence even in words, without engagement, he might have employed Preston's forces instantly, upon what other design he thought best ; and have deferred the admitting any of them into his garrisons, until their service against the Nuncio's party, had confirmed his confidence in them. In short, that he could not, but with astonishment, receive the strange invective against them in his excellency's letter ; wherein," adds his lordship, " all the reason of your dislike to the whole business seems to be founded."

C H A P. XV.

Ormond consents to the engagement.

THE Marquis of Ormond, thus warmly and frequently importuned, and, perhaps, ashamed totally to reject an expedient, first moved by himself, condescended at last to write ' two letters ; one to General Preston ratifying and confirming the engagement made by him with Clanrickard ; and the other to Clanrickard himself, which was to be shewn to Preston's officers, and contained likewise his excellency's agreement to the engagement now mentioned, with some flattering expressions of his confidence in the valour and fidelity of these officers.*

Soon

* See Cart.Orm. vol. iii. fol. 332.

* Clanrickard during this treaty with Preston, " found that Preston and his officers had been wrought on by two conclusions, which had been speciously infused into them ; the first was, that the lord lieutenant was so great an enemy to their religion, that though they should obtain any conditions from the king to their advantage in that particular, he would oppose and not consent

Soon after this, Ormond and Digby found means to inform the king of the conclusion of this engagement with General Preston, and of the breaking off of the late treaty with the English parliament. On which occasion his majesty sent his excellency the following letter, of the 27th of December.

“ ORMOND,²

“ This is chiefly to confirm that which I wrote to you the 5th of this month,^b whereby I approved of what you have done, both concerning your London-treaty, and that with General Preston; shewing you, also, the great necessity of my affairs, that you should repiece the peace with the Irish.”

But the Marquis of Ormond, instead of endeavouring to repiece his peace with the Irish (by which the Nuncio's and O'Nial's party only can be understood, because they alone were then unengaged) soon found a plausible pretence for breaking his engagement with Preston himself. We have already seen, that his obstinate refusal of the free exercise of religion to the confederates, was what principally delayed the conclusion

² Id. ib. vol. ii. Append. fol. 13.

sent unto the same : the other, that the king was in the hands of the Scots, who were not like to approve that peace had been made, all of that nation in Ulster refusing to submit to it; and if they should be able to procure any order from his majesty to disavow it, the lord lieutenant would undoubtedly obey it.” Borl. Irish Reb. fol. 222. From Clarendon. “ This treaty was concluded about the end of November, 1646, at Sir Nicholas White's castle at Leixlip.” Id. ib. fol. 223.

^b In his letter of the 5th of that month, here referred to, his majesty says, “ I really and heartily approve of all you have done hitherto, and in particular concerning Preston. But, for further directions, I can only say, that, upon no terms, you must submit to the C. W. C. K. and that you endeavour what you can, to repiece your peace with the Irish.” Warn. Irish Rebel. Nothing else can possibly be meant by the above cypher, consistently with the context, but the English parliament. Warn. ib.

clusion of the peace, until it became both useless to his majesty, and insecure to them. The case was much the same, with respect to his engagement with General Preston; his delay and unwillingness to ratify that engagement; Preston's knowledge, perhaps, that he was still carrying on his treaty with "those traitors of the covenant," the Scots in Ulster; ^c but above all, his not having received any of Preston's forces into his garrisons as he promised he would, ^d caused that general to suspect the sincerity of his professions of trust and confidence in him and his officers. These motives coinciding with the Nuncio's threatened censure, of which he was too scrupulously fearful, made him relapse, in shew at least, to his former connection with that dogmatical ecclesiastic. He, however, immediately apprised the Marquis of Ormond of this change in his resolution,

^c Ormond himself confessed, that he was negotiating with the Scots in Ulster at the very time he was drawing out his forces to join General Preston, pursuant to this engagement. See *Cart. Orm.* vol. iii. fol. 569. And in fact, this whole treaty with Preston on the part of Ormond, seems to have been a mere delusion; for on the 10th of November, 1646, on Digby's pressing him to conclude it, he excuses himself by saying, "You know I cannot close with the Irish or any party of them, till there be an end of the treaty with the parliament, though to keep off the present danger I may discourse with them." *Id.* ib. fol. 512. And two days after the date of this letter, he writes to the same Digby, "I have not heard from my messenger employed to the Scots (in Ulster), but I hope well of his business." *Id.* ib. fol. 513. Lord Digby writing to Ormond on this subject, says, "you will have occasion to draw some of Preston's forces to Dublin, which, on my soul, you may rely on." *Id.* ib. fol. 519.

Yet in his private treaty with these traitors of the covenant, he offered to receive part of their forces into Drogheda, with an assurance, that there, or "wheresoever they should chuse to be, they should be admitted to use their own form of service, and have their own ministers and a church assigned to them, saving the incumbent his right." Belling's MSS.

^d In the before mentioned letter to General Preston, he, among other things, "desires him and his officers to believe that he would employ him and them in all trusts, both in the field and in his garrisons, with as much freedom and assurance as he would any whatsoever." *Cart. Orm.* vol. iii. fol. 332.

resolution,^c by several letters and messages,³ “left his excellency (as he told him), who was then on his march to join him, might, by advancing too far, expose himself to some insult from the Nuncio’s party.” On this occasion, he assured his excellency,⁴ “that he would not have failed to meet him, according to their appointment, but that his commanders, and the rest in general, were wholly withdrawn from their first resolution; that, however, he had caused notice to be given to his excellency in a second letter, two hours after the former, by an express messenger, that his excellency might not advance further, on doubtful uncertainties; whereby (adds he) your excellency may perceive, how right my intentions have ever been, and how studious I was to give you the means of avoiding inconvenience, by that intelligence.” And indeed, of the rectitude of his intentions, and of his sincere and zealous attachment to his majesty’s service, he soon after gave unquestionable, but melancholy proof. For the Marquis of Ormond, having (as we shall presently see) shamefully surrendered his out-garrisons to the parliament commissioners, began to repent of what he had done; and, in concert with Lord Digby, entered into a new, but secret treaty with the confederates, in order, by their assistance, to recover the possession of them; to which the confederates having readily agreed,⁵ “dispatched immediate orders to General Preston, to march his whole army, consisting of between seven and eight thousand men, into the English quarters; which he accordingly did, took

³ Cart. Orm. vol. iii.

⁴ Ib.

⁵ Leyburne’s Memoirs, p. 60.

* Rather his officers resolution: for the words of his letter to Clanrickard on this occasion are to this effect, “that his officers, not being excommunication-proof, were fallen from him to the Nuncio’s party; and therefore he wished that the lord lieutenant would proceed no further, but expect the issue of a general assembly that would be shortly convened at Kilkenny, where he doubted not but that things would be set right by the consent of the whole kingdom, which he said would be much better for his majesty’s service, than to attempt forcing the peace on those who were averse to it.” Borl. Hist. fol. 224. Claren.

took Naas and Maynooth by assault; and afterwards sat down before Trim; where, being attacked by Michael Jones, with superior forces from Dublin, he was totally defeated; ^f having had four thousand men killed on the place, and almost all his commanders taken prisoners, himself hardly escaping.” ²

C H A P. XVI.

Ormond resumes his treaty with the English parliament.

HIS excellency either was, or affected to be, so much provoked by Preston’s seeming tergiversation (for Lord Digby ¹ was confident it was not real), “that” he publicly resumed his treaty with the English parliament, (notwithstanding the king’s late order forbidding him to submit to them “on any terms,”) offering to
put

¹ Cart. Orm.

² Id. ib.

^f In this battle, “there were slain upon the place, (says Borlase) five thousand four hundred and seventy (Irish); of ours (adds he) some were wounded, but not above twenty slain.” Irish Rebel. fol. 242.

This was called the battle of Dungan’s-Hill, and it is somewhat remarkable, that although Preston then fought for the king against Jones, governor of Dublin, for the parliament, and that by the secret advice and instigation of Ormond and Digby, yet we find the following resolution of a committee, August 14th, 1697, in Jones’s favour: “Resolved, that it is the opinion of this committee, that this house, by an address to their excellencies the lords justices, do recommend to them the signal services of lieutenant general Jones, in reducing the rebels, commanded by General Preston at Dungan’s-Hill, in the year 1647, to the obedience of England,” (i. e. the rebel parliament of England.) Com. Jour. vol. ii. fol. 861. This was done to obtain some provision for his nephew, Dr. Michael Jones, then living and in a poor condition; which was granted. Ib.

² “General Preston had, after the restoration, conferred upon him by the king, the title of Lord Viscount Taragh, with 800l. a year in lands, to support the honour.” Cart. Orm. vol. ii. fol. 64.

put his majesty's garrisons into their hands, upon the same conditions they had formerly proposed ; which," as we have already observed from Mr. Carte, " no protestant could accept without forfeiting his allegiance." And in order to induce them, for the present, to give him the command of some of their men, provisions, and ammunition in Ulster, till they could send him more, he promised to deliver hostages for the performance of what he had undertaken ; and accordingly, on the 16th of March, 1646, he sent over as such, the Earl of Roscommon, Colonel Chichester, Sir James Ware, and Sir Richard Butler, afterwards Earl of Arran, one of his own sons.

Soon after this, Mr. Leyburne, under the assumed name of a Winter Grant, arrived in Ireland, with letters from the queen and prince, to the lord lieutenant. " After I had delivered (says that gentleman) such letters as I had for the Marquis of Ormond, I said, I was sure they expressed civilities from the queen and prince, much better than I could ; that, by my instructions, when decyphered, his lordship would find the confidence her majesty and the prince had in him ; which was so great as no reports could shake, though we had, weekly, news of treaties with the parliament, for delivering up those places which were under his command. To which his lordship replied, " that confidence shall never deceive them ;" and added, " that he, who had ventured himself, his wife, and all his children in the king's service, would make no scruple of venturing or casting away one son,^b when there should

^a Id. ib. vol. i. fol. 603.

^a Memoirs.

^a Concerning this gentleman's arrival, Lord Digby wrote to Ormond from Leixlip, May 12th, 1647, at two o'clock in the morning, what follows : " Mr. Grant is come hither this night with such dispatches to your excellency, as makes me think it necessary that I should wait upon you presently ; but I think it not fit that he should come to you." Cart. Orm. vol. iii. fol. 553.

^b He meant Sir Richard Butler, one of the hostages sent to the English parliament.

should be cause. Yet, that if there should be a necessity, he would rather give up those places under his command to the English, than to the Irish rebels ; of which opinion, he thought every good Englishman was." (To this, adds Mr. Leyburne,) I answered nothing."

His excellency had ' then with him in the city, two thousand of the parliament forces, and expected many more in a few weeks. But his cessation with the confederates being now to expire in three days, he endeavoured to renew it for three weeks longer ; within which time, he had good reason to expect, that the remainder of his supplies from the parliament would arrive. Mr. Leyburne,⁶ whom he employed to go on that occasion to Kilkenny, " desired to know from his excellency, what he should say, in case the confederates should object, that his lordship proposed so short a cessation only that he might gain time to receive more forces from the parliament ? To which he was answered, that he should receive orders for that on the way, if, on consideration, there was cause." Accordingly, the next day a post overtook him with a letter from the lord lieutenant, in which he gave him power, " to undertake to the confederates, that if a cessation should be agreed upon, he would not receive into the garrisons under his command, forces from the parliament, during three weeks ; but Mr. Leyburne was to use his utmost endeavours to procure a cessation without that condition ; or at least, that it should be kept private ; which last he was to engage them in, before he consented to the said condition."

But the general assembly, having pregnant causes of fear, that his excellency sought that short cessation ' only with

⁵ Cart.Orm.

⁶ Mem. p. 34-5.

' The lord lieutenant and council in their answer to the king's constrained order of the 11th of June above-mentioned, or rather to the English rebels with whom he was then a prisoner, say on this occasion, " that they were desirous, on the one hand, not to make a cessation with the Irish for too long a time, lest in case

with a view of obtaining succours from the parliament, refused to agree to it. At the same time, such was their inclination to peace, and zeal for his majesty's service, that they proposed to lengthen out the cessation⁷ for six months, provided his lordship would, in the mean time, admit no more of the parliament's forces into his garrisons. But he absolutely refused to accept of a cessation for any longer term than three weeks." His reasons for rejecting the offer of a six months cessation evidently was, that all hopes of agreeing with the parliament would have been thereby defeated.

C H A P. XVII.

Ormond delivers up the king's authority to the English parliament.

UPON the hostages¹ before-mentioned having been received in England, one thousand English foot; and four hundred horse, were ordered to march out of Ulster to Dublin; and on the 7th of June following, the parliament commissioners arriving with six hundred horse, and fourteen hundred foot more, the treaty between them, and the Marquis of Ormond,² "was concluded, and² signed on the 19th of that month; by which his excellency was to quit the sword, on the

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⁷ Memoirs, p. 34. ¹ Cart. Orm. vol. i. fol. 693. ² Id. ib.

case their supplies should arrive sooner than they expected, it might prevent the going on with the war that summer; and on the other side, not to make it for too short a time, lest the many preparations requisite for a full supply, and other intervening accidents, might retard it so as not to arrive so speedily as they desired." Cart. Orm. vol. iii. fol. 485.

² At this time the Marquis of Ormond knew, that the Scots had delivered up the king to the parliament's commissioners. Borl. Hist. of the Irish Rebel. fol. 231. "The time that the Marquis of Ormond (says the same historian) agreed with the parliament commissioners, was near the time that the army had gotten the king into their hands, having taken him from Holmbeigh out of the custody of the commissioners, to whom the Scots had delivered him." Id. ib. fol. 240.

28th of the following month, or sooner, upon four days notice." Thus did his lordship deliver up the king's authority to men, who soon after became, as he himself has described them,³ "murderers of his royal person, usurpers of his rights, and destroyers of the Irish nation; by whom the nobility and gentry of it were massacred at home, and led into slavery, or driven into beggary abroad."⁴

"I am told," says the Earl of Essex, lord lieutenant of Ireland in 1674, "that when the Lord Ormond delivered up the sword to the parliament commissioners here, Alderman Smith, then mayor of Dublin, aged near four-score years, and always reputed a man of great integrity and loyalty, came to the council-table, and acquainted my Lord of Ormond, that it was generally reported in town, and spread so far, as no man doubted it, that his excellency intended to deliver up the government to the parliament; that he came to acquaint his lordship, that himself was entrusted with the king's sword of the city, and that he would not resign it to rebels. Whereupon, my Lord of Ormond gave him some check, and ordered him to withdraw; but upon further consideration, his lordship and the council thought fit to call him in again, and to commend him for the resolution he had shewn in maintaining his majesty's authority; and withal read the letter from his majesty, requiring the lord lieutenant to deliver up the sword to the commissioners impowered by the parliament of England; whereupon, he said he would submit."⁴ This was a shameful imposition on the honest lord mayor, and could be no other than the letter of the 11th of June, the preceding year, extorted from the king by the Scots, when he was their prisoner, and forbidding the marquis of Ormond to proceed in the peace with the confederates, as we shall hereafter see.

The

³ Cart. Orm. vol. ii. Append. fol. 19. ⁴ State Lett. p. 344.

^b "Had the kingdom (says Sir Edward Walker on this occasion) been given up to them (the confederate catholics,) and not as it was to the parliamentarians, the balance of government would have been kept more even, and these Irish would have become the better subjects." *Histor. Discourses.*

The marquis, through this whole transaction with the English parliament, was sufficiently careful of his own private concerns ; having stipulated, that a large sum of money should be paid him on the conclusion of it ; and that his estate (which was heavily incumbered at the beginning of the insurrection) “ should not be subject to any debts contracted before that time.” But there appears no reason to believe, that he was equally, or at all, anxious in this agreement, for the interests or preservation of that church and government, for whose support and dignity, in all his negotiations with the confederates, he had affected to be thought so scrupulously zealous. For ‘ on the 24th of June, 1647, five days after the treaty with the parliament was signed, and a month before he delivered up the sword, he suffered the parliament commissioners to publish an order, requiring all ministers of congregations, and others officiating in the several churches and chapels in Dublin, to observe the directory, and for the discontinuance of the liturgy and common prayer ; although the act of uniformity was still in force in Ireland, and not so much as suspended by any order of either, or both houses of parliament. Accordingly, the established clergy ceased to officiate, and the liturgy was left off in all the churches of the city, except that of Trinity-college, where Anthony Martin, bishop of Meath, and provost of that college, continued to use it.”

These consequences, the Marquis of Ormond must have certainly foreseen ; because one of his first propositions to the English parliament, (which were rejected) was,⁵ “ that the covenant should not be imposed, nor the liturgy suppressed at present ; lest it should divide the protestants, and hinder their joint prosecution of the war (against the Irish) and that nothing should be done in relation to either, but by act of parliament.” Now, even supposing this proposition had been granted, what else could his lordship have expected, from an act of either the Irish or English parliament, at that juncture, but a more certain and rigorous imposition of the

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⁵ Borl. Hist. Irish Rebel. fol. 235. ⁶ Cart. Orm. vol. i. fol. 605.

⁷ Id. ib. vol. iii. fol. 586.

the covenant, and suppression of the liturgy and common prayer in both kingdoms?^c

Both houses of the Irish parliament, then sitting, had, with great solemnity, presented an address of thanks to his excellency, on occasion of this treaty with the English rebels. In that address, they set forth, "that^s his proceedings therein, being such a free earnest of his excellency's love to their religion, nation, and both houses, did incite them to come unto him with hearts filled with his love, and tongues declaring how much they were obliged to his excellency. And that in order to perpetuate unto posterity, the memory of his excellency's merits, and their thankfulness, they had appointed that instrument to be entered into both houses, and under the hands of both speakers, to be presented to his lordship." To which address, his lordship politely answered,⁹ "that this acknowledgment of theirs was unto him a^d jewel of very great value, which he should lay up among his choicest treasures; it being an antidote against the virulency of those tongues and pens, that, he was well assured, would be busily set on work to traduce and blast the integrity of his present proceeding for their preservation." The reader will easily perceive, that those, for whose preservation he entered into measures so destructive of monarchy, and of the established religion in Ireland, were generally a rabble

^s Com. Jour. App. Borl. Hist. Irish Rebel. fol. 234. ⁹ Ib.

^c The protestant clergy of the city of Dublin, in their petition to the parliament commissioners on this occasion, "pray, that, in pity and compassion to the protestants of Dublin and to themselves, who were else, by their injunctions, in danger of being exposed to banishment, loss of estate, and present subsistence, with their wives and families, they would restore them to their churches, till such time as further order be taken by a convocation of the clergy, and an act of parliament, in Ireland." But in vain. Borl. Irish Rebel. fol. 239.

^d Alluding to a jewel of 500*l.* value, which he had some years before received from both houses of the English parliament, as a reward for his service in prosecuting the war against the Irish, in the manner we have seen, with a letter of thanks, "though I do not hear (adds Borlase) that he did ever place the jewel or letter in his archive." Hist. of the Irish Rebel. fol. 100.

rabble of covenanters, who, conspiring with their brethren in the British parliament, prepared the way for, and at last, effectually brought about, the murder of their king in England !

C. H. A. P. XVIII.

The Marquis of Ormond ordered to leave the castle.

ON the 9th of June, 1647, "it is ordered that the persons herein under-named are appointed a committee forthwith to meet with a committee of four of the lords in the usual place, who are, in the name of both houses, to congratulate the commissioners (of the English parliament) that are now coming out of England."

"It is this day ordered, by the lords and commons in parliament assembled, that a committee of both houses do repair unto the honourable the commissioners from the most honourable the parliament of England, to congratulate their safe and happy arrival here; having expressed their good affections to the public service, in hazarding themselves, notwithstanding the crossness of the winds and other difficulties; and that the said committee do, in the name of both houses, acknowledge their hearty thankfulness to the most honourable the parliament of England, for their zeal and care in sending supplies into this kingdom, for the relief and preservation thereof, and to desire them to represent such their thankfulness to that most honourable parliament."

And on the 16th of July, these parliament commissioners gave notice to the Marquis of Ormond, to remove, with his family, from the castle; and to deliver the regalia within four days, according to his agreement. But it being inconvenient to his lordship to embark so soon, he compromised the matter with them, by quitting the castle immediately, and deferring the ceremonial

¹ Com. Jour. vol. i. fol. 576.

² Ib. fol. 577.

³ Cart. Orm. vol. i. fol. 605.

ceremonial of the sword, till the day first agreed upon.⁴ "Yesterday," says his lordship, "I was summoned to leave the sword and castle, according to the direction of the committee of Derby-house; which, by the way, I note as no good sign, that committee consisting of all independents."

Mr. Leyburne justly remarks, that this circumstance might have furnished his lordship with a good excuse for breaking off the agreement, as matters were then greatly altered; "for," says he, "the parliament with whom he had held this treaty, were presbyterian; but now it became independent, quite another thing; so that I was confident my lord of Ormond would be very wary of parting easily from his government, without fresh commands from the king."

But his lordship, instead of making use of such an argument, would have parted from his government some weeks sooner, had not Lord Digby, as principal secretary of state, resolutely interposed.⁵ "For his excellency being pressed by the parliament commissioners to perform his engagement, he was resolved to do it,"⁶ and writ so to Lord Digby, who had in several letters, persuaded his delay. But finding that nothing but a personal interview, and most serious conference, was able to hinder him any longer from accomplishing the work, Lord Digby, notwithstanding the most imminent hazard of the attempt, ventured by night to steal into Dublin

⁴ Cart. Orm.

⁵ Memoirs, p. 37.

⁶ Id. ib.

⁷ How indifferent both Digby and Ormond were about the future fate of Ireland at this juncture, appears from the following passage in a letter of the former to the latter. Digby, after strongly advising Ormond, that, on quitting the kingdom, he should have liberty from the parliament commissioners to carry off with him five thousand five hundred men, to any other kingdom in amity with England, adds, "that he ought to value that condition above all the others, not only as most honourable, but far more profitable to him, than if they should give him five times the sum they offered. But that, if the parliament would not give him such conditions, then he conceived Ormond's course must be, by temporizing with the Irish, renewing

Dublin castle, to prevent the surrender the next day intended; where, upon his arrival, which procured a very great disturbance, he wrought so effectually with the Marquis of Ormond, that he brought him the next day to declare to the commissioners (under pretence of doubting the authority of their powers, and in expectation of the parliament's solemn engagement of the faith of both houses for the security of himself, and all his party, whether perhaps excepted, or not excepted) that unless they would yet give him five weeks time to hold the sword and castle, in order to his satisfaction in these particulars, he would rather die in the gate, with an halbert in his hand, than give it up. In which resolution, the commissioners finding him positive, at last assented, that, if he would surrender into their hands the militia forthwith, they would permit him the sword and castle, together with any three companies he should chuse for his guard, for the fore-mentioned time."

On the 26th of July, his excellency moved these commissioners, that, "in regard his servant was not come with his money" to discharge his debts, and other necessary payments, they would permit his lady to remain in the castle, till he came." But even that request was refused him. In short, as his lordship had, over and
above

Cart. Orm.

ing other treaties with the parliament upon lower conditions; in fine, by any art to prolong his possession of the garrisons and forces, till he (Digby) could procure him shipping and money for the said transportation. And then (says he) let who will take the carcass of what you shall leave." Cart. Orm. vol. iii. fol. 544. "Nay these two lords were not only indifferent about the future fate of Ireland at this juncture, but seemed ready (Digby in particular) to enter into any scheme with the parliamentarians for leaving the Irish intirely at their mercy. In a letter to Ormond, July 17th, 1647, Digby, in order to ingratiate himself with the parliament commissioners, undertakes, "if he can have liberty to negotiate in the Irish quarters, that he is not more confident of any thing in this world, than that he can demonstrate to these commissioners, that, in a month's time, the Irish shall be more broken, and weakened by art, than they can hope to do with twelve months war." Id. ib. fol. 560.

The money to be given him by the parliament for the surrender, which was 5000*l.* in hand, &c.

above the hostages, put all the power into their hands before any performance on their part, it is no wonder, that they did not afterwards keep within the bounds of common decency in their dealings with him. And when he complained of several breaches of honour which they were guilty of, they did not pretend to assign a reason for their proceedings, but told him plainly, "that they were competent judges of them, and would not allow others to direct their actions."

Sir Maurice Eustace, afterwards lord chancellor of Ireland, in a letter to the Marquis of Ormond, October 8th, 1647, acquainted him, "that Sir William Parsons (formerly lord justice of that kingdom) had by late

* Cart. Orm. vol. i. fol. 605.

* Though one of the conditions of Ormond's treaty with the parliament commissioners was, "that he and all such noblemen and officers as desired to pass into any part of that kingdom (England) should have travelling arms and free passes, with servants for their respective qualities. That Ormond should have 5000*l.* in hand, and 2000*l.* per annum, for five years, till he could receive so much a year out of his own estate; and that he should have liberty to live in England without taking any oaths for a year, he engaging his honour to do nothing in the interim to the prejudice of the parliament; however he delivered not up the regalia till the 25th of July, at which time, he was transported, with his family into England.

The Marquis of Ormond had obtained from these commissioners a pass, for Lord Digby to transport himself to France. But "all their seamen sent his lordship word, that let him have what pass he would, they would either throw him overboard or bring him prisoner to London, and the parliament soldiers at Dublin declared resolutions of no less violence against him, if he came that way in spite of any protection." Cart. Orm. vol. iii. fol. 572.

"These soldiers soon after threatened the parliament commissioners themselves, and plundered the houses of the inhabitants, protestants as well as papists. Money was sent over for their pay, but that could not restore discipline among them; they continued their disorders, and beat their officers, if they offered to reprimand them." Id. ib. vol. ii. fol. 9.

Borlase informs us, that these soldiers had received such a tincture of mutiny, that Mr. Annesley, and Sir Robert King, two of the parliament commissioners, for fear of violence, privately quitted the kingdom." Hist. of the Irish Rebel. fol. 235.

late letters, advised Jones (then governor for the parliament) to the burning of corn, and to put man, woman and children to the sword: and that Sir Adam Loftus had written in the same strain.”⁹

C H A P. XIX.

Reasons assigned for the Marquis of Ormond's surrender, considered.

TWO reasons are commonly assigned by historians, in order to justify or excuse Ormond's delivering up the king's authority at this juncture, to the English rebels.

First, his majesty's verbal order, or at least, permission, privately sent him for that purpose by Sir George Hamilton. And secondly, a design of the confederate catholics, then newly discovered, to transfer their allegiance from their natural sovereign to some foreign prince. The former of these reasons, I shall prove to be groundless, from his lordship's own words; the latter has been always denied by the accused, nor ever yet, in any manner proved by their accusers, though frequently called upon for that purpose.

Mr. Belling, one of the Marquis of Ormond's earliest, warmest, and most intelligent apologists, owns, “that this surrender of Dublin, and the other garrisons, did indeed pave the way, not only to the destruction of the people of Ireland, but also to the king's murder in England.” But he, at the same time, insists, “that his majesty had sent the lord lieutenant, by Sir George Hamilton, private orders to make it.” The same is affirmed by Clarendon, Hume, Carte, and generally by all succeeding writers on this subject.^a But the

⁹ Cart. Collect. Orig. Pap. vol. ii. p. 350.

^a Vindiciæ Cathol. et MSS.

^{*} Doctor Leland has made a proper distinction on this occasion. “Ormond,” says he, “was assured his majesty had signified his pleasure, that in case of extreme necessity, he should submit rather to the English than the Irish. The king's private letters

the Marquis of Ormond himself, in all his letters to the queen and prince, at that juncture, not only apologizes, with great submission, for this surrender, (which certainly, he would not have done, had he received the king's order or permission for it) but also, in that long and laboured state of the affairs of Ireland, which he afterwards laid before the king himself, he represents,^a "that act of his, as done on presumption, that it was more for his majesty's honour and service, and consequently more agreeable to his pleasure, which he had neither means nor time to consult."^b

But the following letter from his lordship to the king, which was sent soon after he resigned the government, leaves not the least room to doubt the falsity of this assertion.

"May it please your majesty,"

"I know not how my last actions, or present condition, have been represented to your majesty; the latter your majesty finds in the public articles with the parliament commissioners; but upon what grounds, or advices, these articles were agreed to, I must reserve for a time, when, by the grace of God, and your majesty's good pleasure, I shall be admitted to cast myself at your feet. I should, in the mean time, beg the suspension of any thought, that may be suggested into, or arise in your majesty, in prejudice to those sincere affections, where-with I have endeavoured to serve you. But that were to misdoubt your justice, and so to make myself unworthy

^a Cart. Orm. vol. iii. fol. 596. ^b Id. ib. fol. 558.

letters afforded Ormond abundant reason to doubt the truth of these assurances; yet they (these assurances) served to justify the resolution he had now taken to the public." Hist. of Irel. vol. iii. p. 307.

^b The parliament commissioners in treating with the Marquis of Ormond about the surrender of the garrisons under his command, "stiffly insisted on their propositions, refusing to consent that the marquis should send any messenger to the king, that, upon information how the case stood, he might receive his majesty's direction what to do." Borl. Irish Rebel fol. 221. From Clarendon.

thy of your pardon, if, deprived of your directions to guide me, I have erred in the way to your service."

Sir George Hamilton was so far from bringing such private orders from the king, that he did not even see his majesty on that occasion; for although his lordship had sent him to wait on the king for some such purpose, yet he tells us himself,⁴ "that Sir George fell sick at Dundalk, and that, hearing there of the resolution taken by the parliament of Scotland, and by their army, to deliver him up to the two houses of parliament, he proceeded no further in his journey, but returned, with that sad assurance to Trim, where the marquis then was."

To the second reason assigned for this surrender, viz. The discovery of a design of the confederate catholics at that juncture, to transfer their allegiance to a foreign prince. Their answer always was, that they never entertained such a design; and that the only application made by them, for obtaining the aid and assistance of any foreign power, was subsequent to,⁵ and occasioned by, this surrender of Dublin and the other garisons, to the English rebels. For thus they related that transaction, when it was first objected against them, appealing for the truth of their relation, to their assembly's instructions concerning it, which were then in the hands of their enemies.

"The power of those who were in arms in England against the King,⁵ was," said they, "in the year 1647, considerable in Ireland; they being then free from any opposition in the former kingdom, and at entire

⁴ Id. ib. f. 569. ⁵ Walfsh's Reply to a Person of Quality.

⁶ This appears plainly from the date of the instructions which the confederate catholics at Kilkenny gave to their agents on that occasion, viz. January 18th, 1647; several months after Ormond's agreement with the parliament commissioners; and even after his departure. See Borl. Hist. of the Irish Rebel. fol. 227.

Ormond's treaty with the parliament commissioners was concluded the 17th or 18th of June preceding. Ib. f. 235.

entire liberty to dispose of their forces for carrying on their designs in the latter. Wherefore, the confederate catholics, perceiving the danger they were in, met in the winter of that year in a general assembly at Kilkenny, where they took into consideration, that his majesty was in restraint; that all addresses to him were forbidden; and that some members of parliament, who spoke in his favour, were expelled.

“ In that sad extremity, there being no access to his majesty for imploring either his justice or mercy, all laws, human and divine, did allow the said catholics to take some other course, in order to their defence and preservation; not against his sacred majesty, but against those who had laid violent hands on his person, who designed to abolish the royal authority, and resolved to destroy or extirpate the said catholics.

“ These catholics, therefore, in January 1647, did, in the said assembly, conclude, that the Marquis of Antrim, Lord Viscount Muskerry, and Geoffry Browne, Esq; should be employed into France; the Bishop of Ferns and Nicholas Plunkett, Esq; to Rome; and some others to Spain. Those sent to France, were by their applications to the Prince of Wales and the Queen, to declare the danger the said catholics apprehended, and humbly to beseech them to find out some expedient, by which these dangers might be averted. They were likewise commissioned, in case of absolute necessity, to implore the aid and protection of some foreign prince; but they were limited not to act any thing, in order to such foreign protection, but by the direction of those persons who were employed to receive his majesty's commands. Upon the said application made to his majesty, through the queen and prince, the Marquis of Ormond's commission was afterwards renewed, and his excellency qualified with power to conclude a peace with the said catholics. Whereupon all further proceedings, concerning the protection of any foreigner, were stopt, and the agents recalled; neither they, nor any of them, having ever moved or acted any thing further, relating to the protection of any foreign power. Those agents who were employed

to

to Rome, did, on their return in 1648, before the general assembly then sitting, give such an account of their negociation,^d that it encouraged the assembly to hasten the conclusion of the peace with the Marquis of Ormond, then in agitation.

“ And the said catholics are so conscious to themselves of the resolution they took, from the beginning, to persevere irremoveably faithful, through all extremities, to his majesty’s interests, that they are well assured, though those who possess their estates, have now the books of said general assembly in their hands ; yet can they not make it appear, that there was any actual treaty or offer for transferring the subjection, naturally due from them to his majesty’s dominion over them, to any foreigner whatsoever, or any thing tending thereunto, but what is here acknowledged.”

It happens unluckily for this part of Ormond’s apology, that about the time of this transaction, the confederate catholics gave new and signal proofs of their unalterable duty and attachment to his majesty’s service. For upon the Nuncio’s publishing a declaration against the cessation of arms, which the assembly, in order to hasten the intended peace, then found it necessary to conclude with Inchiquin, “ they appealed, in form,” says Dr. Warner,^e “ against that declaration, and were joined by two of their archbishops, twelve bishops, and all the secular clergy in their diocesses ;

^e Warn. Irish Rebel. p. 424. Lel. Hist. of Ir. vol. iii. p. 325.

^d “ The account these agents gave to the general assembly from his Holiness was, that if the Nuncio did engage, that the confederate catholics should be supplied by his Holiness in the maintenance of their war, he did it without any commission from him ; his Holiness being resolved to give no money upon the event of a war ; and that as it was not proper for him to appear, in expressing his sense of the conditions fit to be demanded in matters of religion, so he left them at liberty to proceed, as best suited with the good of the kingdom. This account,” adds Mr. Carte, “ putting an end to all expectations of foreign succours, set every body upon reflecting on their own condition, and disposed the confederates to moderate their propositions for a peace, which was become absolutely necessary for their preservation.” Orm. vol. ii. fol. 48.

cesses; by all the Jesuits, Carmelites, and five hundred of the Franciscans. And the number, learning, zeal, and diligence of these religious, in preaching and other applications, in a great degree defeated the Nuncio's measures, and brought his party into discredit. Lord Taaffe had so modelled his army, that all his officers were excommunication proof. The Marquis of Clanrickard had a body of three thousand men of the same temper; and if Preston and his officers were not so hardened, they were better united than they had been, and were resolved to carry their point. In answer to the Nuncio's solicitations to stand by him, they desired he would not trouble them with any more letters, because they had determined to observe no orders but what came from the supreme council, whom they were sworn to obey."*

C H A P. XX.

Ormond prepares to leave the kingdom. Is pressed by the confederates to remain a while in it, but refuses.

WHEN General Preston and his forces heard that the Marquis of Ormond intended to leave Ireland in the following week, there appeared an incredible consternation among them;† inasmuch, that Preston sent to conjure Lord Digby, as he valued the preservation of those whom he believed yet well affected to his majesty, that he would afford him, and some he would appoint,

† Carte's Orm. vol. iii. fol. 561.

* It was believed by the confederate catholics, both clergy and laity, that Renuccini had no power from the Pope to announce such censures, because it was never pretended that he was Legate *a latere* from the Roman See, but merely a Nuncio. For which reason, in the synod held at Galway by him, on this occasion, the Archbishop of Tuam, having desired to see his power for assuming such authority, and the Nuncio refusing to shew it, told him to his face, that he would not obey it. *Ego*, answered the Nuncio, *non ostendam*. *Et Ego*, replied the archbishop, *non obediam*. See Vindic. Catholic. in Hiber.

appoint, an opportunity of conferring with him. Accordingly, by his lordship's appointment, Sir Robert Talbot, Mr. Oliver Darcy, Mr. Belling, and Sir Thomas Dungan, met Lord Digby privately at Leixlip, and earnestly pressed him to beg it of the Marquis of Ormond, as the only testimony and proof that he was not willing to sacrifice the good men of his country with the bad, to remain in the kingdom, somewhere out of Dublin, but for one month, his conditions with the parliament allowing him to stay six. In which time, they made no doubt, but Preston's army, joined with that under Lord Muskerry in Munster, would so awe the new supreme council, as to prevent that destruction which they foresaw the nation would undoubtedly suffer, if the marquis, by leaving, should break them; for that they could no longer hold united, than while they had their eyes upon his lordship."

Lord Digby, from whose letter to the Marquis of Ormond this account is taken, seemed to approve of the proposal as the best thing the marquis could resolve upon, as he was then circumstanced,² for his own credit. "My reasons," says he, "principally are, that your lordship having been forced to an act, which, how just soever, must needs make you infinitely odious, you will have so easy a means of redeeming the hatred and obloquy, with all those of the country whose affections are to be valued; and because, if there were nothing else in the case, it would be worth your running a very great hazard, to purchase such an acknowledgment of the necessity and justice of your proceedings with the parliament, so subject to calumny, as would, by that means, be procured even from those who are likely to undergo the greatest ruin by it; and whose sacrifice, if you have not a justification of your actions from them, will be the heaviest part of the work."

But the Marquis of Ormond absolutely declined the overture, "because," as he said,³ "he held it, by no means safe." At the same time he told Lord Digby, "that he could not conceive what use they could make of

² Carte's Orm. vol. iii. f. 562. ³ Id. ib.

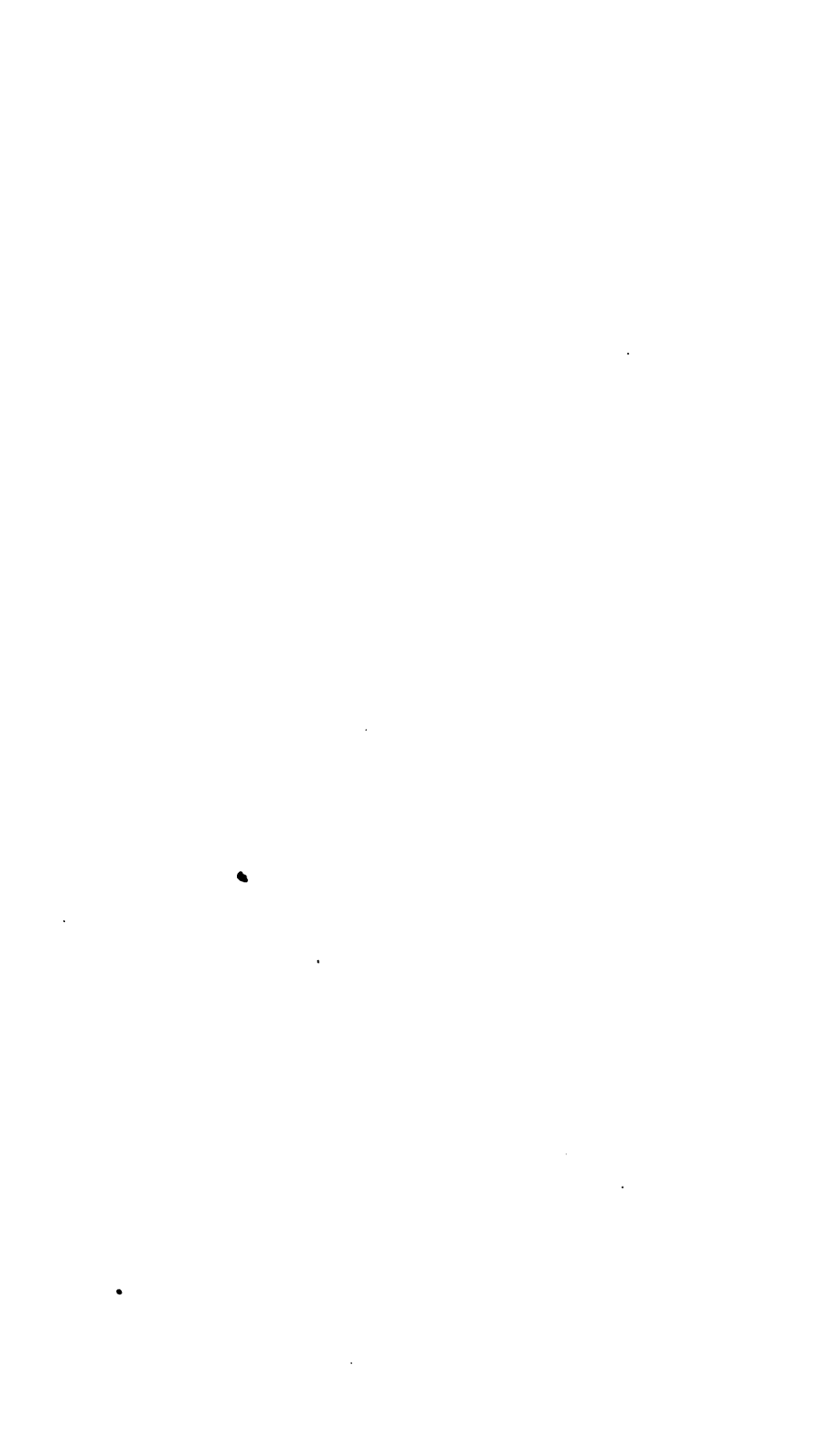
of his staying in the kingdom, which would, while it seemed for their preservation, serve likewise for his destruction. That, however, he cared not if it were known to the world, that he would use all his powers and industry to dispose his majesty, and all others, to have good thoughts of those he had found faithful, or that he believed to be rightly inclined to the English government; and that he would improve all opportunities of procuring advantageous conditions for them, according to the peace." How diametrically opposite to these soothing promises, his subsequent conduct was, at a time when he had it absolutely in his power to perform them, will hereafter appear. Thus the Marquis of Ormond, after having shamefully surrendered his high trust and dignity, left the kingdom, and went to England, about the end of July or beginning of August, 1647; where, on his arrival at London, he waited on his majesty;^a but was soon after obliged to make a kind of escape to France, having had notice sent him,⁴ "that a warrant was actually issued out to seize his person," by those very men, into whose hands he had just before delivered up Ireland. But, in a short time after, we shall find him returned to that kingdom, in quality of lord lieutenant.

^a Cart. Orm. vol. ii. f. 16.

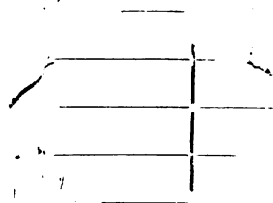
^a In one of these interviews, "his majesty gave the Marquis of Ormond direction, in case the independent army (in whose custody he then was) should proceed otherwise than they pretended, how he should behave himself, and comply with the Irish, if he could dispose of them to be instrumental towards his and their own delivery." Borl. Hist. of the Irish Rebel. fol. 240. from Clarendon.

"And the king further commanded the marquis, to confer thereupon with some of the principal of the Scottish commissioners, still residing at London, who desired that the Marquis of Ormond would transport himself into Ireland, to try once more if he could compose the humours of that people to his majesty's obedience." Id. ib.









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